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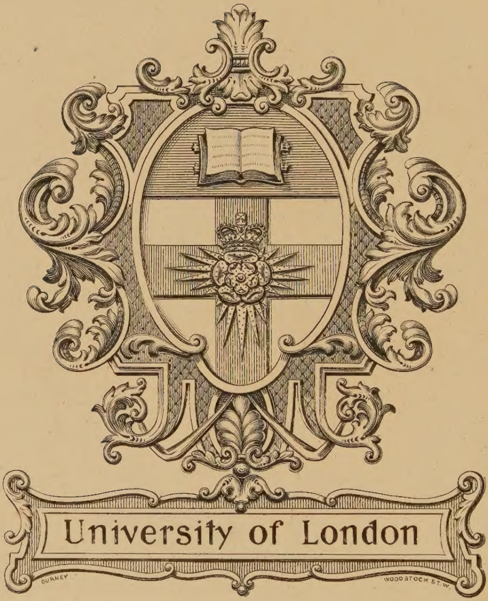

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HANSARD'S

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WILLIAM IV.

46° & 47° VICTORIÆ, 1883.

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TO

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Fifth Volume of the Session.

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Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Labouchere,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 166, Noes 28; Majority 138.—(Div. List, No. 129.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

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Main Question put, and *agreed to*:—Bill, as amended, *considered;* to be read the third time.

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New Writ for the County of Monaghan—Resolution—

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Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the issue of the Writ for the County of Monaghan be suspended until the decision of Parliament has been had regarding the Parliamentary Elections (Corrupt and Illegal Practices) Bill now before this House,"—(*Mr. Biggar*,)—instead thereof.

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Bill *considered* in Committee 386

After some time spent therein, it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Thursday.*

The House suspended its Sitting at Seven of the clock.

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LAND LAW (IRELAND) ACT, 1881 (PURCHASE CLAUSES)—RESOLUTION—

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Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Tuesday* 26th June.

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Amendment proposed,

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 38, Noes 149; Majority 111.—(Div. List, No. 134.)

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After long time spent therein, Committee report Progress; to sit again *To-morrow,* at Two of the clock.

Lord Wolseley's Grant Bill [Bill 208]—

Moved, "That the Bill be now read the third time,"—(*Mr. Chancellor of the Exchequer*) 650

After short debate, Motion *agreed to:*—Bill read the third time, and *passed.*

Friendly, &c. Societies (Nominations) Bill [Bill 117]—

Bill *considered* in Committee [*Progress 29th May*] 651

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Surrey (Trial of Causes) Bill [Bill 65]—

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After short debate, Adjourned Debate *further adjourned* till *Wednesday* 4th July.

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Poor Law (Ireland)—Election of Guardians—Magherafelt Union—Question, Mr. O'Brien; Answer, Mr. Trevelyan 689

The Royal Military Hospitals, &c.—The Committee of Inquiry—Question, Mr. Sexton; Answer, Sir Arthur Hayter 690

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Law and Police (Ireland)—Salaries of Special Resident Magistrates—Questions, Sir Henry Holland, Mr. Dawson; Answers, Mr. Trevelyan 694

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Supply—Army Estimates—Question, Sir Walter B. Barttelot; Answer, Mr. Gladstone 695

ORDER OF THE DAY.

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7] [Fourth Night]—

Bill *considered* in Committee [*Progress* 14*th June*] 696

After long time spent therein, it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day*.

Electric Lighting Provisional Orders (No. 7) (Barnes, &c.) Bill—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 229] .. 749

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Poor Law (Ireland)—Workhouse Schools—Observations, Mr. Moore .. 750

[House counted out.] [9.15.]

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Parliament—Policy of the Ministry—Mr. Chamberlain's Speech at Birmingham—Question, Observations, The Marquess of Salisbury; Reply, Earl Granville 751

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India (Palconda)—Motion for a Select Committee—

Moved, "That a Select Committee be appointed to inquire into the case of the ex-Zemindar of Palconda and the confiscation of his property at a time when he was a ward of the British Court of Wards,"—(*The Lord Stanley of Alderley*) .. 756

After short debate, on Question? *Resolved* in the *negative*.

Criminal Law Amendment Bill (No. 69)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Dalhousie*) .. 766

Amendment *moved*, to leave out ("now") and add at the end of the Motion ("this day six months,")—(*The Earl of Milltown*.)

After short debate, Amendment (by leave of the House) *withdrawn*; original Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Indian Marine Bill (No. 88)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Kimberley*) .. 775

After short debate, Motion *agreed to*;—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*. [7.15.]

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LAW AND JUSTICE (ENGLAND AND WALES)—THE SUMMER CIRCUITS—Question, Mr. Arthur Elliot; Answer, Sir William Harcourt .. 781

POOR LAW (IRELAND)—SHILLELAGH UNION—ELECTION OF GUARDIANS—Questions, Mr. W. J. Corbet, Mr. O'Kelly; Answers, Mr. Trevelyan .. 781

LIGHTHOUSE ILLUMINANTS — THE COMMITTEE — LETTER OF MR. VERNON HARCOURT—Questions, Baron Henry De Worms, Colonel King-Harman; Answers, Mr. Chamberlain 782

REGISTRATION OF VOTERS (IRELAND)—REVISION COURTS—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan 783

LUNACY (SCOTLAND) ACT, 1862—TRANSFER OF CRIMINAL LUNATICS FROM PERTH PRISON—Question, Mr. Ramsay; Answer, The Lord Advocate 784

ROYAL IRISH CONSTABULARY (AUXILIARY FORCE)—Question, Colonel King-Harman; Answer, Mr. Trevelyan 785

MERCHANT SHIPPING ACTS—COLLISION AT SEA—THE "WAVE"—Question, Mr. O'Donnell; Answer, Mr. Chamberlain 785

PARLIAMENT—STANDING COMMITTEE ON LAW, &c.—CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL—Question, Mr. Joseph Cowen; Answer, The Attorney General 786

POST OFFICE—THE PARCELS POST—RURAL LETTER CARRIERS—Question, Mr. Biggar; Answer, Mr. Fawcett 786

PRISONS (SCOTLAND)—CLOSING OF THE PRISON AT DUNFERMLINE—Question, Mr. Preston Bruce; Answer, The Lord Advocate 787

PARLIAMENTARY ELECTIONS (IRELAND)—THE WEXFORD ELECTION—Question, Mr. O'Brien; Answer, Mr. Trevelyan 787

POST OFFICE (CONTRACTS) — THE IRISH MAIL SERVICE—Question, Mr. Kenny; Answer, Mr. Fawcett 788

VACCINATION—DEATH IN ST. PANCRAS WORKHOUSE—Question, Mr. Hopwood; Answer, Sir Charles W. Dilke 789

ARMY—ORDNANCE STORE DEPARTMENT—Question, Lord Eustace Cecil; Answer, Mr. Brand 790

SEA AND COAST FISHERIES (IRELAND) FUND BILL—Questions, Mr. Blake, Mr. Gray; Answers, Mr. Trevelyan 790

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LAW AND JUSTICE (IRELAND)—ALLEGED POISONING OF MR. JURY—Question, Mr. Biggar; Answer, Mr. Trevelyan 792

SPAIN—EXPULSION OF CERTAIN CUBAN REFUGEES FROM GIBRALTAR—COLONEL MACEO — THE PAPERS — Questions, Mr. O'Kelly, Sir R. Assheton Cross; Answers, Lord Edmond Fitzmaurice 793

POST OFFICE—IMITATION TELEGRAMS—Question, Mr. Long; Answer, Mr. Fawcett 793

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI—Question, Lord Randolph Churchill; Answer, Lord Edmond Fitzmaurice .. 793

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UNIVERSITIES (SCOTLAND)—RETURN OF PENSIONS OF OFFICIALS—Question, Colonel Alexander; Answer, The Lord Advocate 795

NAVY—SALE OF SILVER PLATE—Questions, Mr. O'Donnell; Answers, Mr. Campbell-Bannerman 796

INDIA (BENGAL)—LAW AND JUSTICE—MR. BANNERJEA—Questions, Mr. O'Kelly, Mr. O'Donnell; Answers, Mr. J. K. Cross 797

PARLIAMENT—PUBLIC BUSINESS—ROYAL COMMISSION ON PARLIAMENTARY REFORM—Question, Sir John Hay; Answer, Mr. Gladstone .. 797

THE AGRICULTURAL HOLDINGS BILLS (ENGLAND AND SCOTLAND)—Question, Mr. Buchanan; Answer, Mr. Gladstone 798

PARLIAMENT—POLICY OF THE MINISTRY—MR. CHAMBERLAIN'S SPEECH AT BIRMINGHAM—Questions, Mr. Warton, Mr. J. Lowther; Answers, Mr. Gladstone 798

LAW AND POLICE—THE CALAMITY AT SUNDERLAND—Question, Sir R. Assheton Cross; Answer, Sir William Harcourt; Question, Mr. Macfarlane; [No reply] 799

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL—Question, Mr. Ashmead-Bartlett; Answer, Mr. J. K. Cross 800

AUSTRALIAN COLONIES—THE GOVERNORSHIP OF QUEENSLAND—Question, Mr. Raikes; Answer, Mr. Evelyn Ashley 801

PARLIAMENT—BUSINESS OF THE HOUSE—THE PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) AND THE AGRICULTURAL HOLDINGS (ENGLAND) BILLS—Question, Mr. Heneage; Answer, Mr. Gladstone .. 801

PRIVILEGE.

PARLIAMENT—PRIVILEGE—THE SPEECHES OF MR. JOHN BRIGHT AT BIRMINGHAM—Paragraph complained of read.

Moved, "That the words complained of are a Breach of the Privileges of this House,"—(*Sir Stafford Northcote*) 801

After debate, Question put:—The House *divided;* Ayes 117, Noes 151; Majority 34.—(Div. List, No. 139.)

ORDERS OF THE DAY.

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7] [FIFTH NIGHT]—

Order read, for resuming Adjourned Debate on appointment of day for going into Committee, proposed [15th June], "That this House will, upon Monday next, again resolve itself into the said Committee:"—Question again proposed:—Debate *resumed* 836

After debate, Motion, by leave, *withdrawn.*

Moved, "That this House will immediately resolve itself into the said Committee:"—Question put:—The House *divided;* Ayes 105, Noes 51; Majority 54.—(Div. List, No. 140:)—Bill *considered* in Committee .. 841

After long time spent therein, Committee report Progress; to sit again *To-morrow,* at Two of the clock.

Statute of Frauds Amendment Bill [Bill 204]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Whitley*) 896

Motion *agreed to:*—Bill *considered* in Committee; Committee report Progress; to sit again upon *Thursday* 28th June.

MOTIONS.

Electric Lighting Provisional Orders (No. 8) (Bradford, &c.) Bill—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 230] .. 897

Turnpike Acts Continuance Bill—*Ordered* (*Mr. Hibbert, Mr. George Russell, Sir Charles Dilke*); *presented*, and read the first time [Bill 231] 897

Municipal Offices Disqualification (Ireland) Bill—*Ordered* (*Mr. Callan, Mr. Gray, Dr. Commins, Mr. Kenny*); *presented*, and read the first time [Bill 232] .. 897

High Court of Justice (Continuous Sittings) Bill—*Ordered* (*Mr. Whitley, Lord Claud Hamilton, Mr. Jacob Bright, Mr. Samuel Smith, Mr. Slagg, Mr. Lewis Fry*); *presented*, and read the first time [Bill 233] 897

[1.30.]

LORDS, TUESDAY, JUNE 19.

Marriage with a Deceased Wife's Sister Bill (No. 56)—
Moved, "That this House do now resolve itself into Committee upon the said Bill,"—(*The Earl of Dalhousie*) 898
After short debate, Motion *agreed to*:—House in Committee accordingly 902
Amendments made; the Report thereof to be received on *Monday* next; and Bill to be *printed*, as amended. (No. 112.)

Public Health (Dairies, &c.) Bill (No. 92)—
Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 922
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 28*th instant.*

Factories and Workshops Amendment Bill [H.L.]—*Presented* (*The Earl of Dalhousie*); read 1ª (No. 113) 925

[7.0.]

COMMONS, TUESDAY, JUNE 19.

QUESTIONS.

LAND LAW (IRELAND) ACTS—RIGHTS TO TURF AND SEA WEED—Question, Mr. Thomas Lea; Answer, Mr. Trevelyan 926
FISHERY PIERS AND HARBOURS (IRELAND)—PIERS IN COUNTY DONEGAL—Question, Mr. Thomas Lea; Answer, Mr. Trevelyan 926
LUNATIC ASYLUMS (IRELAND)—EFFICIENCY—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan 927
DISTRICT PROBATE REGISTRARS (IRELAND)—Question, Mr. Marum; Answer, Mr. Courtney 927

ORDER OF THE DAY.

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7] [SIXTH NIGHT]—
Bill *considered* in Committee [*Progress* 18*th June*] 929
After long time spent therein, it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Thursday*.

QUESTION.

MADAGASCAR—CAPTURE OF TAMATAVE BY THE FRENCH—Question, Sir R. Assheton Cross; Answer, Lord Edmond Fitzmaurice 985

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

VACCINATION—RESOLUTION—

Moved, "That, in the opinion of this House, it is inexpedient and unjust to enforce Vaccination under penalties upon those who regard it as unadvisable and dangerous,"—(*Mr. P. A. Taylor*) 986

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee of this House be appointed for the purpose of ascertaining whether a limitation of the accumulation of penalties for non-vaccination can be effected without endangering the practical efficiency of the Vaccination Acts,"—(*Sir Joseph Pease*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.

Amendment proposed,

To leave out from the word "House," to the end of the Question, in order to add the words "the practice of Vaccination has greatly lessened the mortality from small-pox, and that Laws relating to it, with such modifications as experience may suggest, are necessary for the prevention and mitigation of this fatal and mutilative disease,"—(*Sir Lyon Playfair*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—Question put:—The House *divided*; Ayes 16, Noes 286; Majority 270.—(Div. List, No. 145.)

Main Question, as amended, put, and *agreed to*.

Electric Lighting Provisional Orders (No. 9) (Bristol, &c.) Bill—*Ordered* (*Mr. John Holms, Mr. Chamberlain*); *presented*, and read the first time [Bill 238] .. 1046

Public Buildings (Doors) Bill—*Ordered* (*Mr. Coleridge Kennard, Mr. Beresford Hope, Viscount Folkestone, Mr. William Fowler*); *presented*, and read the first time [Bill 239] 1046

[1.30.]

LORDS, WEDNESDAY, JUNE 20.

Their Lordships met for the despatch of Judicial Business only. [1.30.]

COMMONS, WEDNESDAY, JUNE 20.

ORDERS OF THE DAY.

Sea Fisheries (Ireland) Bill [Bill 31]—

Moved, "That the Bill be now read a second time,"—(*Mr. Blake*) .. 1047

After debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Vice-Royalty (Ireland) Bill [Bill 37]—

Moved, "That the Bill be now read a second time,"—(*Mr. Justin M'Carthy*) 1076

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. J. N. Richardson.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, it being a quarter of an hour before six of the clock, the Debate stood adjourned till *To-morrow.* [5.50.]

LORDS, THURSDAY, JUNE 21.

Lord Alcester's Grant Bill (No. 95)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Northbrook*) .. 1099

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

LIGHTHOUSE ILLUMINANTS COMMITTEE—PROFESSOR TYNDALL AND THE BOARD OF TRADE—Question, Observations, The Earl of Dunraven; Reply, Lord Sudeley; Observations, The Duke of Argyll 1103

NAVY—WRECK OF H.M.S. "LIVELY"—THE "HEN AND CHICKENS" ROCK AND "NORTH SHOAL"—MOTION FOR A PAPER—

Moved for, "Correspondence respecting the buoying of the rock known as the 'Hen and Chickens,' and of the 'North Shoal,' off the west coast of the Orkneys,"—(*The Duke of Marlborough*) 1112

After short debate, Motion *agreed to*:—Correspondence *ordered* to be laid before the House.

LAW AND JUSTICE (ENGLAND AND WALES)—ASSIZES AND QUARTER SESSIONS—Question, The Earl of Powis; Answer, Lord Coleridge .. 1116

MUNICIPAL CORPORATIONS (UNREFORMED) BILL—INQUIRY FEES—Question, Observations, Lord Henniker; Reply, Lord Carlingford .. 1117

CONTAGIOUS DISEASES (ANIMALS) ACT—ORDERS OF THE PRIVY COUNCIL—Question, Observations, Lord Henniker; Reply, Lord Carlingford; Observations, The Marquess of Lothian 1118

[6.45.]

COMMONS, THURSDAY, JUNE 21.

QUESTIONS.

POST OFFICE—OVERHEAD TELEGRAPH AND TELEPHONE WIRES—Question, Mr. Stuart-Wortley; Answer, Mr. Fawcett 1121

CONTAGIOUS DISEASES (ANIMALS) ACT—ORDERS OF THE PRIVY COUNCIL—Question, Mr. R. H. Paget; Answer, Mr. Dodson 1122

INDIA OFFICE—PERMANENT UNDER SECRETARY OF STATE—APPOINTMENT OF MR. GODLEY—Questions, Lord George Hamilton, Colonel Nolan; Answers, Mr. J. K. Cross 1122

THE PARKS (METROPOLIS)—THE REGENT'S PARK—Questions, Mr. D. Grant, Mr. Ashmead-Bartlett; Answers, Mr. Shaw Lefevre 1124

WESTERN ISLANDS OF THE PACIFIC—AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND—Question, Sir Michael Hicks-Beach; Answer, Mr. Evelyn Ashley 1124

NAVY—OFFICERS OF THE STEAM RESERVE—Questions, Sir H. Drummond Wolff; Answers, Mr. Campbell-Bannerman 1125

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India—Marine Survey of India—Question, Lord George Hamilton; Answer, Mr. J. K. Cross 1125
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Industrial Schools and Reformatories—The Reports—Questions, Sir Eardley Wilmot, Mr. Buxton; Answers, Sir William Harcourt .. 1129
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Chili and Peru — Alleged Treaty of Peace — Question, Mr. Bourke; Answer, Lord Edmond Fitzmaurice 1131
South Africa—Zululand—Murder of a Missionary—Questions, Sir Henry Holland, Lord Randolph Churchill, Sir Michael Hicks-Beach; Answers, Mr. Evelyn Ashley 1131
Trustees in Bankruptcy—Statement of Mr. Daniel, Q.C., County Court Judge, Leeds District—Question, Mr. Coleridge Kennard; Answer, Mr. Chamberlain 1132
Post Office Savings Bank—The New Building—Question, Mr. Coleridge Kennard; Answer, Mr. Fawcett 1133
Ceylon—Native Magistrates—Question, Mr. O'Donnell; Answer, Mr. Evelyn Ashley 1133
Indian Possessions of France—Disqualification of Natives—Question, Mr. O'Donnell; Answer, Mr. J. K. Cross 1134
Coolies (India)—Licences on Labourers—Question, Mr. O'Donnell; Answer, Mr. J. K. Cross 1134
The National Debt—Reduction of Interest—Question, Mr. Creyke; Answer, The Chancellor of the Exchequer 1135
Public Departments—War Office Supplementary Clerks—Questions, Viscount Lewisham, Mr. Arthur O'Connor; Answers, The Chancellor of the Exchequer, The Marquess of Hartington 1135
National Education (Ireland)—Clenor Male National School—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1136
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Railways—Workmen's Trains—Question, Mr. Grantham; Answer, Mr. Chamberlain 1141
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South Africa—The Transvaal—The Special Commissioner—Question, Sir Michael Hicks-Beach; Answer, Mr. Gladstone 1146
Post Office—Mail Service to the Mauritius—Question, Sir John Hay; Answer, The Chancellor of the Exchequer 1146
Parliament—The Standing Committee on Law, &c.—Criminal Code (Indictable Offences Procedure) Bill—Questions, Lord Randolph Churchill, Mr. Buchanan, Sir H. Drummond Wolff, Mr. Joseph Cowen, Mr. Gibson, Mr. Raikes; Answers, Mr. Speaker, The Attorney General, Mr. Gladstone 1147
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Parliament—The Standing Committees—Re-appointment—Question, Sir H. Drummond Wolff; Answer, Mr. Gladstone 1150

ORDERS OF THE DAY.

—o—

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7] [Seventh Night]—
Bill *considered* in Committee [*Progress 19th June*] 1150
After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Railway Passenger Duty, &c. Bill [Bill 219]—
Moved, "That the Bill be now read a second time,"—(*Mr. Courtney*) .. 1244
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* 2nd July.

Labourers (Ireland) Bill [Bill 29]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. T. P. O'Connor*) 1244
Motion *agreed to*:—Bill *considered* in Committee.
Bill *reported*; to be *printed*, as amended [Bill 240]; *re-committed* for *Thursday* next. [1.15.]

LORDS, FRIDAY, JUNE 22.

Contagious Diseases Acts—Petition from Aldershot for Renewal of Provisions for Compulsory Examination—Petition presented; Observations, The Earl of Carnarvon, The Lord Chancellor 1245
Petition read, and *ordered* to lie on the Table.

Pawnbroker's Bill (No. 79)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Chancellor*) .. 1246
After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Navy—Warrant Officers—Question, Observations, Viscount Sidmouth; Reply, Lord Alcester 1252
Land Law (Ireland) Act, 1881—Section 31—Loans to Tenants—Question, Observations, The Marquess of Waterford; Reply, Lord Carlingford:—Short debate thereon 1254

Railways—Continuous Brakes—Question, Observations, Earl De La Warr, Viscount Bury; Reply, Lord Sudeley 1260
Channel Tunnel—Memorandum of H.R.H. the Duke of Cambridge—Question, Observations, The Earl of Shaftesbury; Reply, Earl Granville 1264
[6.15.]

COMMONS, FRIDAY, JUNE 22.

PRIVATE BUSINESS.

—o—

Sir Robert Peel's Settled Estates Bill [*Lords*] (*by Order*)—
Moved, "That the Bill be now read the third time" 1265
After short debate, Question put, and *agreed to* :—Bill read the third time, and *passed,* without Amendment.

QUESTIONS.

—o—

New South Wales—Disappearance of an Exploring Party and Boat's Crew—Question, Mr. Alderman Cotton; Answer, Mr. Evelyn Ashley .. 1269
Prevention of Crime (Ireland) Act, 1882—Charge for Extra Police—Questions, Mr. O'Sullivan; Answers, The Attorney General for Ireland 1270
Army—Ordnance Department—Mr. Lynal Thomas—Question, Mr. Macfarlane; Answer, Mr. Brand 1270
Places of Public Entertainment—Licences—The Sunderland Calamity—Questions, Mr. Macfarlane; Answers, Sir William Harcourt .. 1271
The Potato Crop—Report of the Select Committee—Experiments—Questions, Sir Herbert Maxwell; Answers, Mr. Dodson .. 1271
Open Spaces (Metropolis)—Peckham Rye—Question, Sir R. Assheton Cross; Answer, Sir William Harcourt 1272
Post Office—Case of Miss Hodgson—Question, Mr. Macfarlane; Answer, Mr. Fawcett 1273
Land Law (Ireland) Act, 1881—Section 31—Loans to Tenants—Question, Mr. O'Connor Power; Answer, Mr. Courtney 1273

ORDER OF THE DAY.

—o—

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7] [Eighth Night]—
Bill *considered* in Committee [*Progress* 21*st June*] 1274
After long time spent therein, it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDER OF THE DAY.

—o—

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

SUPPLY—Order for Committee read—*continued.*

LOCAL GOVERNMENT BOARD (IRELAND)—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Local Government Board in Ireland should have powers to deal with exceptional distress similar to those enjoyed by the Local Government Board in England, and the Board of Supervision in Scotland; and, further, that Boards of Guardians in Ireland should have the same discretion with regard to outdoor relief that Boards of Guardians have in England, subject to the control of the Local Government Board,"—(*Colonel Colthurst,*)—instead thereof 1343

Question proposed, "That the words proposed to be left out stand part of the Question:" — After long debate, Question put:—The House *divided;* Ayes 82, Noes 24; Majority 58.—(Div. List, No. 149.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

PARLIAMENT—ORDER OF BUSINESS—PAYMENT OF WAGES IN PUBLIC-HOUSES PROHIBITION BILL—Observations, Mr. Warton 1379

[House counted out.] [12.45.]

LORDS, MONDAY, JUNE 25.

Criminal Law Amendment Bill (No. 69)—

House in Committee (according to Order) 1382

Amendments made; the Report thereof to be received on *Friday* next; and Bill to be *printed,* as amended. (No. 128.)

Marriage with a Deceased Wife's Sister Bill (No. 112)—

Amendments *reported* (according to Order) 1401

Amendments made:—Bill to be read 3ª upon *Thursday* next; and to be *printed,* as amended. (No. 129.) [9.0.]

COMMONS, MONDAY, JUNE 25.

PARLIAMENT—BANKRUPTCY BILL—

Bill *reported* from the Standing Committee on Trade, Shipping, and Manufactures; Report to lie upon the Table.

Bill, as amended, to be considered upon *Thursday,* and to be *printed.* [Bill 243.]

Minutes of Proceedings to be *printed.* [No. 224.]

QUESTIONS.

THE IRISH BUTTER TRADE — CORK BUTTER MARKET — Question, Mr. Moore; Answer, Mr. Trevelyan 1406

ROYAL UNIVERSITY (IRELAND)—DR. DUNNE—Question, Mr. Lewis; Answer, Mr. Trevelyan 1407

TREATY OF BERLIN—ARTICLE X—THE VARNA RAILWAY—Questions, Mr. Dixon-Hartland; Answers, Lord Edmond Fitzmaurice 1407

COMMERCIAL NEGOTIATIONS WITH FRANCE — BROKERAGE ON SHIPPING—Question, Mr. Charles Palmer; Answer, Lord Edmond Fitzmaurice .. 1408

LAW AND POLICE—ALLEGED CRUELTY TO A HORSE—Question, Mr. Broadhurst; Answer, Sir William Harcourt 1408

LAW AND POLICE—THE CALAMITY AT SUNDERLAND—Question, Mr. Biggar; Answer, Sir William Harcourt 1409

EDUCATION DEPARTMENT—BOARD SCHOOL IN COBORN STREET, BOW—Question, Mr. Ritchie; Answer, Mr. Mundella 1409

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ARMY HOSPITAL SERVICES INQUIRY—APPENDIX No. 33—Question, Mr. Guy Dawnay; Answer, The Marquess of Hartington 1410

ROYAL IRISH CONSTABULARY—SPECIAL RESIDENT MAGISTRATES—LEGISLATION—Question, Mr. O'Shea; Answer, Mr. Trevelyan 1411

INLAND REVENUE DEPARTMENT—CHARGE AGAINST OFFICERS—Questions, Mr. Arthur O'Connor; Answers, The Chancellor of the Exchequer .. 1412

NAVY—WRECK OF H.M.S. "LIVELY"—Question, Dr. Cameron; Answer, Mr. Chamberlain 1413

ARREARS OF RENT (IRELAND) ACT, 1882—TENANTRY NEAR GWEEDORE—Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan; Question, Mr. T. P. O'Connor; [No reply] 1413

INDIA (PALCONDA)—Question, Mr. O'Donnell; Answer, Mr. J. K. Cross .. 1414

POST OFFICE — OVERHEAD TELEGRAPH AND TELEPHONE WIRES—Questions, Mr. Stuart-Wortley; Answers, Sir Charles W. Dilke 1415

LAW AND JUSTICE (SCOTLAND)—PETITION PROCESSES IN COURT OF SESSION—Question, Dr. Cameron; Answer, The Lord Advocate .. 1416

LAND LAW (IRELAND) ACT, 1881—PROVISIONS AS TO LABOURERS' COTTAGES—Questions, Mr. O'Sullivan, Mr. Kenny; Answers, Mr. Trevelyan .. 1417

EVICTIONS (IRELAND)—CASE OF WIDOW DRISCOLL—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1417

LUNACY COMMISSIONERS' REPORTS FOR 1882—Questions, Mr. W. J. Corbet, Mr. Arthur O'Connor; Answers, Sir William Harcourt, Mr. Trevelyan 1418

DUCHY OF LANCASTER LANDS ACT, 1855—FORESHORES—THE CORPORATION OF SOUTHPORT—Question, Mr. Summers; Answer, Mr. Dodson .. 1419

NAVY—OFFICERS OF THE STEAM RESERVE—Questions, Sir H. Drummond Wolff; Answers, Mr. Campbell-Bannerman 1419

NAVY—DOCKYARD ARTIFICERS AND LABOURERS—Question, Sir H. Drummond Wolff; Answer, Mr. Campbell-Bannerman 1419

NAVY—THE "DOTEREL" EXPLOSION—Question, Mr. Joseph Cowen; Answer, Mr. Campbell-Bannerman 1420

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL—Question, Sir Herbert Maxwell; Answer, Mr. J. K. Cross 1420

THEATRES AND MUSIC HALLS (METROPOLIS)—PRECAUTIONS AGAINST FIRE—Question, Mr. Dixon-Hartland; Answer, Sir William Harcourt .. 1421

CONTAGIOUS DISEASES ACTS (PORTSMOUTH)—Question, Mr. Hopwood; Answer, Mr. Campbell-Bannerman 1421

CUSTOMS AND INLAND REVENUE ACT, 1881—DISTRICT REGISTRARS—Question, Mr. Marum; Answer, Mr. Courtney 1422

PARLIAMENT—PROPOSED ALTERATION OF THE SITTINGS — Question, Mr. Broadhurst; Answer, Mr. Gladstone 1422

INDUSTRIAL WORKS (IRELAND) — Question, Mr. Mitchell Henry; Answer, Mr. Gladstone 1423

PARLIAMENT—BUSINESS OF THE HOUSE—SCOTCH BUSINESS—Questions, Mr. J. W. Barclay, Sir Herbert Maxwell, Mr. Dalrymple; Answers, Mr. Gladstone 1424

SOUTH AFRICA—THE TRANSVAAL—THE SPECIAL COMMISSIONER—Questions, Sir Michael Hicks-Beach; Answers, Mr. Gladstone 1426

PARLIAMENT—BUSINESS OF THE HOUSE—Ministerial Statement, Mr. Gladstone:—Short debate thereon 1428

THE SUEZ CANAL—A PARALLEL CANAL—Questions, Mr. W. M. Torrens, Mr. Cartwright; Answers, Mr. Gladstone 1430

LIGHTHOUSE ILLUMINANTS COMMITTEE—SCIENTIFIC EXPERIMENTS—Question, Baron Henry De Worms; Answer, Mr. Chamberlain 1431

POOR LAW GUARDIANS (IRELAND) BILL—Question, Mr. M'Coan; Answer, Mr. Trevelyan 1432

ORDER OF THE DAY.

—o—

Parliamentary Elections (Corrupt and Illegal Practices) Bill [BILL 7] [NINTH NIGHT]—

Bill *considered* in Committee [*Progress 22nd June*] 1432

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock. [12.45.]

LORDS, TUESDAY, JUNE 26.

PARLIAMENT—PRIVATE BILLS—STANDING ORDER, No. 128—

Consideration of Standing Order No. 128 1532

Moved, to leave out the words ("payment of") and insert ("Company from paying,")—(*The Chairman of Committees.*)

Moved, "That it is not desirable to alter Standing Order 128, or to substitute for Standing Order 128 a new Standing Order, until a Bill has been passed to amend the Companies Clauses Consolidation Act, 1845, and the Companies Clauses Consolidation (Scotland) Act, 1845, so far as these Acts relate to the payment of interest out of capital by railway or other companies,"—(*The Lord Auckland.*)

After debate, Motion (*The Chairman of Committees*) *negatived.*

Motion (*The Lord Auckland*) (by leave of the House) *withdrawn.*

Then it was moved, "That it is not desirable to alter Standing Order No. 128, or substitute for Standing Order No. 128 a new Standing Order,"—(*The Lord Auckland.*)

Motion *agreed to.*

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL—Question, Observation, The Earl of Sandwich; Reply, Lord Carlingford 1548

Supreme Court of Judicature (Funds, &c.) Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1^{a} (No. 130) 1548

[6.0.

COMMONS, TUESDAY, JUNE 26.

ORDERS OF THE DAY.

—o—

Electric Lighting Provisional Orders Bill [Bill 216]—

Moved, "That the Bill be now read a second time,"—(*Mr. Dodds*) .. 1549

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. E. Stanhope*:)—Question put, and *agreed to*:—Debate *adjourned* till *To-morrow.*

Electric Lighting Provisional Orders (No. 2) Bill [Bill 217]—

Moved, "That the Bill be now read a second time" 1549

Moved, "That the Debate be now adjourned,"—(*Mr. E. Stanhope*:)—Question put, and *agreed to*:—Debate *adjourned* till *To-morrow.*

Electric Lighting Provisional Orders (No. 3) Bill [Bill 218]—

Second Reading *deferred* till *To-morrow* 1549

PARLIAMENT—CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL—

Leave given to the Standing Committee on Law and Courts of Justice and Legal Procedure to make a Special Report in the case of the Criminal Code (Indictable Offences Procedure) Bill:—Special Report *brought up*, and read 1549

PARLIAMENT—CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL—*continued.*

Special Report to be *printed.* [No. 225.]
Bill *reported* from the Standing Committee on Law and Courts of Justice and Legal Procedure:—Report to lie upon the Table.
Minutes of Proceeding to be *printed.* [No. 226.]

PARLIAMENT—COURT OF CRIMINAL APPEAL BILL—

Bill *reported* from the Standing Committee on Law and Courts of Justice and Legal Procedure:—Report to lie upon the Table.
Bill, as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 244.]

QUESTIONS.

LAW AND JUSTICE (IRELAND)—JAMES CAREY, THE APPROVER—Question, Mr. Mayne; Answer, The Attorney General for Ireland .. 1551
FISHERIES (IRELAND)—SALMON FISHING IN LOUGH FOYLE—Question, Mr. Kenny; Answer, Mr. Chamberlain 1551
INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL — Question, Mr. Ashmead-Bartlett; Answer, Mr. J. K. Cross 1552
SOUTH AFRICA—THE TRANSVAAL—BECHUANALAND—Question, Mr. Ashmead-Bartlett; Answer, Mr. Evelyn Ashley 1553
POST OFFICE—POSTAL ORDER SYSTEM—EXTENSION TO THE COLONIES—Question, Mr. Rankin; Answer, Mr. Fawcett 1554
NAVY—ISSUE OF THE NAVAL DISCIPLINE ACT, 1866, AS AMENDED—Question, Sir John Hay; Answer, Mr. Campbell-Bannerman 1554
FRANCE AND TUNIS—THE CAPITULATIONS—Question, Mr. Montague Guest; Answer, Lord Edmond Fitzmaurice 1555
INTERMEDIATE EDUCATION (WALES) BILL—Question, Mr. Stanley Leighton; Answer, Mr. Gladstone 1555
ARMY—RIOT AT THE CURRAGH CAMP—Question, Sir Henry Fletcher; Answer, The Marquess of Hartington 1555
AFRICA (WEST COAST)—BRITISH SHERBRO—Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley.. 1556
SOUTH AFRICA—THE TRANSVAAL—THE WAR BETWEEN THE BOERS AND MAPOCH—Questions, Mr. Ashmead-Bartlett, Mr. Gorst; Answers, Mr. Evelyn Ashley.. 1556
LITERATURE, SCIENCE, AND ART—EXTENSION OF THE NATIONAL GALLERY—Question, Mr. Coope; Answer, Mr. Shaw Lefevre 1556

ORDER OF THE DAY.

Parliamentary Elections (Corrupt and Illegal Practices) Bill [BILL 7] [TENTH NIGHT]—

Bill *considered* in Committee [*Progress 25th June*] 1557
After long time spent therein, it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Thursday.*

SELECTION—

Leave given to the Committee of Selection to make a Special Report:—Members discharged; Members substituted 1618
Report to lie upon the Table.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.
[House counted out.] [9.5.]

COMMONS, WEDNESDAY, JUNE 27.

Page

ORDERS OF THE DAY.

—o—

Irish Reproductive Loan Fund Act (1874) Amendment Bill—

Moved, "That the Bill be now read a second time,"—(*Mr. O'Kelly*) .. 1619

Moved, "That the Debate be now adjourned,"—(*Colonel King-Harman*:) —After short debate, Motion, by leave, *withdrawn*.

Original Question again proposed 1621

After short debate, Original Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Imprisonment for Debt Bill [Bill 79]—

Moved, "That the Order for the Second Reading of the Bill be now discharged,"—(*Mr. Anderson*) 1626

After short debate, Motion *agreed to*:—Order *discharged*; Bill *withdrawn*.

Banking Laws (Scotland) Bill [Bill 78]—

Moved, "That the Bill be now read a second time,"—(*Mr. Anderson*) .. 1632

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Williamson.*)

Question proposed, "That the word 'now' stand part of the Question:" —After debate, Amendment, by leave, *withdrawn*:—Motion, by leave, *withdrawn*:—Bill *withdrawn*.

Infectious Diseases Notification Bill [Bill 100]—

Moved, "That the Bill be now read a second time,"—(*Mr. Hastings*) .. 1650

[House counted out.] [4.30.]

LORDS, THURSDAY, JUNE 28.

PARLIAMENT—PRIVATE BILLS—STANDING ORDER No. 128—Observations, The Marquess of Salisbury, The Lord Chancellor, Earl Granville .. 1653

Marriage with a Deceased Wife's Sister Bill (No. 112)—

Moved, "That the Bill be now read 3ª,"—(*The Earl of Dalhousie*) .. 1653

Amendment *moved*, to leave out ("now,") and add at the end of the Motion ("this day six months,")—(*The Duke of Marlborough.*)

After debate, on Question? (leave being given to The Lord Middleton and The Lord Mostyn to vote in the House) their Lordships *divided*; Contents 140, Not-Contents 145; Majority 5.

Resolved in the *negative*; and Bill to be read 3ª on *this day six months*.

Division List, Contents and Not-Contents 1686

ARREARS OF RENT (IRELAND) ACT, 1882—THE IRISH CHURCH FUND—Question, The Duke of St. Albans; Answer, Lord Thurlow .. 1688

[7.15.]

COMMONS, THURSDAY, JUNE 28.

QUESTIONS.

—o—

VACCINATION ACTS—WILLIAM H. KENNARD—Question, Mr. P. A. Taylor; Answer, Mr. George Russell 1689

THE TRUCK ACT—MEDICAL ATTENDANCE IN MINING DISTRICTS—Question, Mr. Burt; Answer, Sir William Harcourt 1690

MADAGASCAR—ENGLAND AND FRANCE—IDENTITY OF POLICY—Question, Mr. Arthur Arnold; Answer, Lord Edmond Fitzmaurice 1691
MOROCCO—SLAVERY AND SLAVE DEALING AT TANGIER—Question, Mr. A. Pease; Answer, Lord Edmond Fitzmaurice 1691
EGYPT—MAJOR BARING, HER MAJESTY'S CONSUL GENERAL—Question, Lord Randolph Churchill; Answer, Lord Edmond Fitzmaurice .. 1692
EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI—Question, Lord Randolph Churchill; Answer, Lord Edmond Fitzmaurice .. 1692
EGYPT (MILITARY EXPEDITION)—COMMISSARIAT SUPPLIES (HAY)—Question, Dr. Cameron; Answer, Mr. Brand 1694
COMMITTEE OF COUNCIL ON AGRICULTURE—THE PROPOSED STAFF—Question, Mr. R. H. Paget; Answer, Mr. Dodson 1694
LAND LAW (IRELAND) ACT, 1881—THE LAND COMMISSION—FAIR RENTS—Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan 1695
LAW AND JUSTICE (IRELAND)—DISQUALIFICATION OF JURORS—Question, Mr. O'Brien; Answer, The Attorney General for Ireland 1696
SCOTLAND—THE ROYAL COMMISSION ON CROFTERS—Question, Mr. Dalrymple; Answer, Sir William Harcourt 1697
STREET TRAFFIC (METROPOLIS) — WOOD PAVEMENTS — Question, Viscount Newport; Answer, Sir James M'Garel-Hogg 1697
THE ROYAL UNIVERSITY OF IRELAND—THE QUEEN'S COLLEGES—Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan 1698
SOUTH AFRICA—THE TRANSVAAL — THE CHIEF MAPOCH — Question, Mr. Gorst; Answer, Mr. Evelyn Ashley 1698
COMMONS AND OPEN SPACES—CHATHAM—Question, Mr. Gorst; Answer, Mr. Brand 1699
IRELAND—NATIONAL SCHOOL TEACHERS — MR. BONNAR — Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan 1699
IRELAND—PAUPER EMIGRANTS TO THE UNITED STATES—Questions, Viscount Lymington, Mr. Joseph Cowen, Mr. J. Lowther, Mr. Puleston, Mr. W. E. Forster, Mr. O'Brien; Answers, Mr. Trevelyan, Lord Edmond Fitzmaurice 1700
PREVENTION OF CRIME (IRELAND) ACT, 1882—SPECIAL COMMISSIONS—Question, Colonel King-Harman; Answer, The Attorney General for Ireland 1703
IRELAND—REPORTED DISTRESS AT GWEEDORE—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1704
EXCISE—ARREST OF MR. BOURGUIGNON—Question, Mr. Ecroyd; Answer, The Chancellor of the Exchequer 1705
HARBOUR OF REFUGE (DOVER)—Question, Mr. W. H. Smith; Answer, Mr. Courtney 1706
EGYPT—REPORTED CHOLERA AT DAMIETTA—Questions, Mr. Cartwright, Mr. J. Lowther; Answers, Lord Edmond Fitzmaurice 1706
EDUCATION DEPARTMENT—BOARD SCHOOL ACCOMMODATION FOR INFANTS—Question, Mr. Hastings; Answer, Mr. Mundella 1707
PARLIAMENT—BUSINESS OF THE HOUSE—Ministerial Statement, Mr. Gladstone:—Short debate thereon 1707
PARLIAMENT—PUBLIC BUSINESS—SCOTCH BUSINESS—Questions, Dr. Cameron, Sir Herbert Maxwell; Answers, Sir William Harcourt 1713
FISHERIES (IRELAND)—Question, Colonel King-Harman; Answer, Mr. Trevelyan 1713
PARLIAMENT—BUSINESS OF THE HOUSE—BALLOT ACT CONTINUANCE AND AMENDMENT BILL—Question, Mr. Newdegate; Answer, Mr. Gladstone 1714
EDUCATION DEPARTMENT (SCOTLAND)—ANDERSON'S INSTITUTION, FORRES—Question, Dr. Cameron; Answer, Mr. Mundella 1714
ARMY RETIREMENT—CAPTAIN MOSSMAN—Question, Viscount Folkestone; Answer, The Marquess of Hartington 1715
ARMY MEDICAL ARRANGEMENTS—Question, Colonel Stanley; Answer, The Marquess of Hartington 1715
INDIA—ALLEGED ATTACK UPON BRITISH TROOPS ON THE AFGHAN FRONTIER—Question, Mr. O'Kelly; Answer, The Marquess of Hartington .. 1716

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ORDERS OF THE DAY.

—o—

SUPPLY—*considered* in Committee—ARMY ESTIMATES.

(In the Committee.)

(1.) £419,600, Commissariat, Transport, and Ordnance Store Establishments.—After long debate, Vote *agreed to* 1716

(2.) £3,117,000, Provisions, Forage, &c.—After short debate, Vote *agreed to* .. 1753

(3.) £784,000, Clothing Establishments, Services, and Supplies.—After debate, Vote *agreed to* 1753

(4.) Motion made, and Question proposed, "That a sum, not exceeding £1,269,500, be granted to Her Majesty, to defray the Charge for the Supply, Manufacture, and Repair of Warlike and other Stores (including Establishments of Manufacturing Departments), which will come in course of payment during the year ending on the 31st day of March 1884" 1765

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £1,259,500, be granted, &c.,"—(*Sir Herbert Maxwell* :)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1786

After short debate, Original Question put, and *agreed to.*

(5.) £739,400, Works, Buildings, &c. at Home and Abroad.—After short debate, Vote *agreed to* 1787

(6.) £127,300, Establishments for Military Education.—After short debate, Vote *agreed to* 1798

NAVY ESTIMATES.

(7.) £864,800, Half-Pay, Reserved Half-Pay, and Retired Pay to Officers of the Navy and Marines.—After short debate, Vote *agreed to* 1802

Motion made, and Question proposed, "That a sum, not exceeding £876,900, be granted to Her Majesty, to defray the Expense of Military Pensions and Allowances, which will come in course of payment during the year ending on the 31st day of March 1884" 1804

After debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Puleston* :)—After further short debate, Question put:—The Committee *divided;* Ayes 47, Noes 74; Majority 27.—(Div. List, No. 154.)

Original Question again proposed 1823

After short debate, Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again *To-morrow.*

Sale of Liquors on Sunday (Ireland) Bill [*Lords*] [Bill 130]—

Adjourned Debate on Second Reading [11th June] 1824

Moved, "That the Debate be adjourned to Monday,"—(*Mr. Trevelyan* :)—Motion *agreed to* :—Adjourned Debate *further adjourned* till *Monday* next.

Friendly, &c. Societies (Nominations) Bill [Bill 228]—

Moved, "That the Bill, as amended, be now considered,"—(*Mr. Stuart-Wortley*) 1824

Moved, "That the Bill be re-committed,"—(*Mr. Whitley* :)—After short debate, Motion, by leave, *withdrawn.*

Bill *considered* :—After short debate, Further Consideration, as amended, *deferred* till *Monday, 9th July.*

Tithe Rent Charge Recovery Bill [Bill 119]—

Order for Second Reading read 1830

After short debate, Second Reading *deferred* till *Wednesday* next.

Public Buildings (Doors) Bill [Bill 239]—

Moved, "That the Bill be now read a second time,"—(*Mr. Coleridge Kennard*) 1832

After short debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. W. H. James.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Amendment, by leave, *withdrawn.*

Motion, by leave, *withdrawn* :—Bill *withdrawn.*

MOTIONS.

Detention in Hospitals Bill—

Moved, "That leave be given to bring in a Bill for extending to certain hospitals the provisions relating to workhouses which enable the detention therein of persons affected with diseases of an infectious or contagious character,"—(*The Marquess of Hartington*) 1834

After short debate, Motion *agreed to*:—Bill *ordered* (*The Marquess of Hartington, Secretary Sir William Harcourt, Sir Arthur Hayter*); *presented,* and read the first time [Bill 247.]

Marine Policies (Collisions) Bill—*Ordered* (*Mr. Kennard, Sir Charles Mills, Sir John Lubbock, Mr. Hubbard*); *presented,* and read the first time [Bill 245] 1838

Prison Service (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. Trevelyan*); *presented,* and read the first time [Bill 248] 1838

Companies Acts Amendment Bill—*Considered* in Committee:—Resolution *agreed to,* and *reported*:—Bill *ordered* (*Sir John Jenkins, Mr. Dillwyn, Mr. Stuart-Wortley*); *presented,* and read the first time [Bill 276] 1838

[2.0.]

LORDS, FRIDAY, JUNE 29.

Army—State of the Army—Recruiting and Organization—Observations, Lord Strathnairn; Reply, The Earl of Morley:—Short debate thereon 1839

Criminal Law Amendment Bill (No. 128)—

Amendments *reported* (according to Order) 1850

Further Amendments made:—Bill to be read 3ª on *Thursday* next; and to be *printed,* as amended. (No. 134.)

Parliament—Private Business—Standing Order No. 128—Resolution—

Moved, That in the Journals for the 26th of June the following passage be omitted:

"Then it was moved, That it is not desirable to alter Standing Order No. 128., or to substitute for Standing Order No. 128. a new Standing Order (*The Lord Auckland*); after debate agreed to;"

and that in substitution thereof the following words be inserted:

"Then it was moved That the further consideration of the proposed alterations in Standing Order No. 128. be not proceeded with; agreed to."

Motion *agreed to.* [8.30.]

COMMONS, FRIDAY, JUNE 29.

QUESTIONS.

Navy—The Mediterranean Squadron—Question, Mr. Gourley; Answer, Mr. Campbell-Bannerman 1865

Ireland—Pauper Emigrants to the United States—Question, Mr. Joseph Cowen; Answer, Lord Edmond Fitzmaurice 1866

Parliament—Public Business—Higher Education in Wales Bill—Question, Mr. Stanley Leighton; Answer, Mr. Mundella .. 1866

Law and Justice—Dormant Funds in Chancery—Question, Mr. Stanley Leighton; Answer, Mr. Courtney 1866

Egypt—Omar Pasha Lufti—Question, Lord Randolph Churchill; Answer, Lord Edmond Fitzmaurice 1867

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Army—Barracks at Newcastle-on-Tyne—Question, Earl Percy; Answer, The Marquess of Hartington 1867

South Africa—The Transvaal—The Chief Mapoch—Question, Mr. Ashmead-Bartlett; Answer, Mr. Evelyn Ashley 1868

Afghanistan—Report of Capture of Convoy—Question, Mr. Ashmead-Bartlett; Answer, Mr. J. K. Cross 1869

Education Department—Entertainments for School Children (Precautions)—Question, Mr. W. H. James; Answer, Mr. Mundella .. 1869

Post Office—Post Office Savings Banks—Questions, Mr. Kennard, Mr. E. Stanhope, Mr. Macfarlane; Answers, Mr. Fawcett 1870

Ireland—State-Aided Emigration to Canada—Question, Mr. J. Lowther; Answer, Mr. Gladstone 1872

Egypt—The Army of Occupation—Precautionary Measures against Cholera—Question, Viscount Folkestone; Answer, The Marquess of Hartington 1872

Egypt—Law and Justice—Trial of Said Bey Khandeel—Complicity of the Khedive and Arabi Pasha—Question, Mr. Labouchere; Answer, Lord Edmond Fitzmaurice 1873

Local Government Board (Scotland) Bill—Question, Mr. A. Elliot; Answer, Sir William Harcourt 1874

ORDER OF THE DAY.

—o—

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7] [Eleventh Night]—

Bill *considered* in Committee [*Progress 26th June*] 1874

After long time spent therein, it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

—o—

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Minister of Education—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that there should be a separate Department of Education,"—(*Sir John Lubbock,*)—instead thereof .. 1933

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Sir Herbert Maxwell:*)—After further short debate, Motion, by leave, *withdrawn:*—Amendment, by leave, *withdrawn.*

Original Question again proposed 1973

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,"—(*Sir Lyon Playfair,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question proposed,

"That the words 'a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,' be there added."

SUPPLY—Order for Committee read—*continued.*

Amendment proposed,

At the end of the proposed Amendment, to add the words "and how such other duties as would fall within the province of a Minister of Public Instruction may be best discharged,"—(*Mr. Illingworth.*)

Question proposed, "That those words be there added:"—After further short debate, Question put:—The House *divided;* Ayes 8, Noes 104; Majority 96.—(Div. List, No. 156.)

Question,

"That the words 'a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,' be added after the word 'That' in the original Question,"

put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Poor Relief (Ireland) Bill [Bill 154]—

Moved, "That the Bill be now read a second time,"—(*Mr. Trevelyan*) .. 1981

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* next.

MOTIONS.

Local Government Board (Scotland) Bill—

Motion for leave (*Sir William Harcourt*) 1984

After short debate, Question put, and *agreed to:*—Bill for constituting a Local Government Board for Scotland, *ordered* (*Secretary Sir William Harcourt, The Lord Advocate*); *presented,* and read the first time [Bill 251.]

Local Authorities (Removal of Disqualification) Bill—*Ordered* (*Mr. John Morley, Mr. Stuart-Wortley, Mr. Stewart Macliver, Mr. Cowen*); *presented,* and read the first time [Bill 252] 2002

[1.45.]

LORDS.

SAT FIRST.

FRIDAY, JUNE 8, 1883.

The Lord O'Neill, after the death of his father.

MONDAY, JUNE 11.

The Lord Castletown, after the death of his father.
The Lord Haldon, after the death of his father.
The Lord Chesham, after the death of his father.
The Earl of Guilford, after the death of his grandfather.

THURSDAY, JUNE 21.

The Viscount Exmouth, after the death of his uncle.

COMMONS.

NEW WRITS ISSUED.

TUESDAY, JUNE 12.

For *the County of Monaghan*, *v.* John Givan, esquire, Crown Solicitor for the Counties of Meath and Kildare.

THURSDAY, JUNE 14.

For *Peterborough*, *v.* George Hampden Whalley, esquire, Manor of Northstead.

FRIDAY, JUNE 22.

For *the Town and Port of Hastings*, *v.* Charles James Murray, esquire, Manor of Northstead.

NEW MEMBERS SWORN.

TUESDAY, JUNE 12.

Derby Borough—Thomas Roe, esquire.

MONDAY, JUNE 18.

Leicester County (*Northern Division*)—The hon. Montague Curzon.

MONDAY, JUNE 25.

City of Peterborough—Sydney Charles Buxton, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Fourth Session of the *Twenty-Second Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
appointed to meet 29 April, 1880, in the Forty-third
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

FIFTH VOLUME OF SESSION 1883.

HOUSE OF LORDS,

Friday, 8*th June*, 1883.

MINUTES.]—*Sat First in Parliament*—The Lord O'Neill, after the death of his father.

Public Bills—*First Reading*—Pier and Harbour Provisional Order (No. 2)* (82); Sea Fisheries* (83).

Second Reading—Pier and Harbour Provisional Orders (68)*.

Committee—*Report*—Local Government (Ireland) Provisional Orders* (64); Constabulary and Police (Ireland) (Pay and Pensions)* (75).

Report—Representative Peers (Scotland)* (66-84); Naval Discipline and Enlistment Acts Amendment* (70).

Third Reading—Elementary Education Provisional Order Confirmation (London)* (31), and *passed*.

AGRICULTURAL HOLDINGS (ENGLAND) BILL AND THE PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

QUESTION. OBSERVATIONS.

THE MARQUESS of SALISBURY: I observe, from the Votes of the other House that have been laid upon the Table, that there are two measures at present before that House, which I suppose have a reasonable prospect of reaching this House. One of them is the Agricultural Holdings (England) Bill, and the other the Parliamentary Elections (Corrupt and Illegal Practices) Bill. With regard to the latter, I observe on the Notice Paper a crop of Amendments, very voluminous in character, proceeding chiefly from those hon. Members for the Sister Country, who add so much richness and volume to the debates of the other House. It is probable, therefore, that it will occupy the attention of the other House for a considerable time, perhaps for some weeks, and it is a Bill which chiefly concerns the other House, though not exclusively so. The Agricultural Holdings (England) Bill, on the contrary, is a Bill of general interest, and is one in which this House is quite as much interested as the other; and it would certainly be a great convenience that it should reach your Lordships' House in time for adequate discussion and examination. It is a Bill which consists mainly of details which it is desirable to examine and discuss. I wish, therefore, to ask the noble Earl opposite (Earl Granville) whether the proceedings of the Government in the other House could be so ordered that the Agricultural Holdings Bill, to which our attention should be particularly directed, should reach this House first? It would be a convenience, if it could be so arranged.

Earl GRANVILLE: My Lords, the noble Marquess gave me Notice of the Question, and I have communicated with Mr. Gladstone and some of my Colleagues in the other House. There is a general desire to meet the wish of the noble Marquess; but I find that there would be some inconvenience in departing from the order in which the House is engaged in considering the Bills. At the same time, with regard to both Bills, no effort shall be wanting to bring them, at the earliest time possible, under the consideration of your Lordships.

AGRICULTURAL AND COMMERCIAL DEPRESSION.

OBSERVATIONS.

The Duke of RUTLAND, in rising to call the attention of the House to the depressed condition of agriculture and trade, said, he would ask for that indulgence of their Lordships which was generally granted to him when he alluded to some statistics; but he would promise that they should be as brief and condensed as the great magnitude of the question would permit—the depressed condition of agriculture and trade. As regarded agriculture, he feared it would not be necessary for him to detain their Lordships at any length to show how depressed it was at the present moment. All parties of all kinds knew that it was never so depressed before; and yet the Government appeared to treat the matter with contemptuous indifference, for he had not heard a word of sympathy from them, and the subject was not mentioned in the Queen's Speech. What had been proposed for the relief of agriculture? The only measure which since then the Government had proposed for the alleviation of agricultural distress was the Tenants' Compensation Bill. But while he admitted that measure to be a sound and, perhaps, a useful one, and that it had been brought forward by the Government with an honest intention to do good to the agricultural interest, yet he must ask the Government whether they seriously believed that it was a measure which could, by any possibility, relieve the existing agricultural distress? It would merely compensate a tenant who was leaving his farm for unexhausted improvements, and make the tenant who took the farm pay for them; that was merely transferring the burdens from one to the other; it was no relief to the agricultural interest. He inquired of a gentleman in Leicestershire, for whose opinion he had great respect, what he thought of the Bill; and the answer was that it would do little harm, and less good. He (the Duke of Rutland) believed that was a faithful representation of the effect the Bill would have in most of the counties of England; but he objected to some parts of it; for he believed it would inflict hardship and injury upon small capitalists. At present, many landlords were willing and anxious to allow time to tenants who were in difficulties; but when the Bill was passed they would be prevented from doing so, and would give a year's notice. He wished the Government to consider what this distress in the agricultural districts amounted to, and what it really meant. It was said that in the last 10 years 1,000,000 acres of land had gone out of cultivation; and, at four quarters an acre, that meant a loss of 4,000,000 quarters, which, at £2 a-quarter, meant a loss of £8,000,000 a-year. Could we lose that, and not suffer from it? Must not an increase of poverty and pauperism be the consequence? He was sorry to say that he did not think trade was in any better condition than agriculture. The Trade

Returns for the first five months of this year and of last showed that the exports had fallen from £98,160,280 to £96,931,963, and the imports had risen from £149,625,193 to £155,704,412, showing an increase in imports of £6,079,219, and a decrease in exports of £1,228,317. There was an article in *The Morning Post* of that day on this subject, and he there found it stated—

> "Last month we remarked that the falling-off in the values of our exports, then £2,680,000, was not sufficient to be deemed of serious importance; but now that it is almost doubled by the £5,320,000 of last month, the same consolation cannot be accepted. Still, it does not yet amount to much more than 1¼ per cent on the whole transactions, though it is much to be feared that this will progress as the year goes on."

This great diminution in the exports and the vast increase in the imports was a most serious matter. At present he believed there was great anxiety in the City as to the quantity of gold in the Bank of England. The value of the woollen goods we exported in 1872 was £32,383,273; the average in the last 10 years had been £19,252,699; so that there had been an annual diminution of £13,130,574. We imported silk goods of the value of £12,000,000, and this involved the displacement of about 36,000 labourers. The value of the cotton goods we exported in 1872 was £63,667,729; the average of the last 10 years had been £58,900,000; and that involved an annual diminution of £4,566,579. In 1872 we imported raw cotton of the value of £53,380,670; the average for the last 10 years had been £42,942,259; and the annual diminution was £10,438,140. He had received a letter from a manufacturer in Sheffield, who said—

> "As a rule, the majority is usually correct in its decision, and what do we find? That one by one the nations of the world are going over to protection—that is to say, to employ their own labour in preference to that of the foreigner. England alone stands out for Free Trade. In the year 1880 I returned from a tour in Australia, and upon landing at San Francisco was struck with the appearance of the people. The working classes were well clothed and well fed, and upon inquiry I found that the artizan received an average of 2½ to 3 dollars per day—10*s.* to 12*s.*—and in some cases much more. From advertisements in the trade journals, as I passed through the United States, I found labour in request. It may be said—'Yes; but living is much more expensive.' Granted; but even then the large wage received by the artizan leaves a large balance in favour of the American workman. Arrived at Liverpool, I found a different state of affairs—workmen seeking employ, wages at a minimum, say about 4*s.* to 4*s.* 6*d.* per day. The want of Reciprocity necessitates the manufacturers here reducing the wages of the workman to a shockingly low scale to enable them to climb the barrier of Protection. And where it is successively done the attention of the foreigner is at once drawn to it, and the barrier is raised still higher, as in the case recently of France and the United States. The result is trade continues dull, there is no life in it, and in consequence of our suicidal policy we shall find ourselves supporting a large portion of our able-bodied workmen out of the poor rate. America has built up a large manufacturing community by the protection she has accorded to her enterprizing manufacturers, and already she has become the largest manufacturer of steel rails in the world. The scale of wages in this country for artizans is lower than it was 20 years ago, while the work put into the article is probably increased 20 per cent. I am speaking now specially of my native town. Local taxes, however, increase. The best thing this country could do, in my humble opinion, would be to promote the federation of our Colonies, and become in fact, what we are in theory, a mighty Empire."

That letter was written by a gentleman who employed a great number of artizans in the town of Sheffield. Then, the leading newspaper, *The Times*, which certainly was not Protectionist, said—

> "Without in the least desiring to take pessimist views of our national condition, we venture to say that it is not one which dispenses us from strict caution and economy. In some respects it may be described as precarious. We depend upon foreigners to a greater degree than it is altogether pleasant to contemplate. We require that they should take an enormous amount of our manufactures, and should supply us with an immense quantity of food in exchange. They are straining every nerve to do without our manufactures, and they have already succeeded to such an extent that, though the volume of our trade remains, the profit has been reduced. No thinking man can avoid asking himself what will be the effect upon a country situated as we are of the extraordinary rapidity with which the population of the world is increasing."

In fact, this question was constantly discussed in the papers, and the writers pointed out that the results of our exports and imports were not pleasant to contemplate. He thought their Lordships would agree with him that the trade of this country was not at the present time prosperous. He knew that subjects of this kind were dull, and that the figures were uninteresting; but he was sure they would all agree with him that no question was so important to this country as the question of industrial prosperity. He felt that this country was year by year losing her high position in commerce; and, indeed, without any hope of returning prosperity—both agriculture and trade, and everything connected with them, were going to rack and ruin. He did not think that any remedy which he might propose would be acceptable to the Imperial Parliament; and, indeed, he did not know that, except Protection, there was any remedy that anyone could propose. Mr. Ecroyd, in a remarkable speech in "another place," had stated his views of what he thought might tend to stop decadence. In that speech the hon. Member proposed that the duties on Indian tea, and on sugar, coffee, chocolate, cocoa, and some other articles that were grown in India and in our Colonies, should be received duty free, as well as wheat and flour, and that a duty of 10 per cent should be raised on tea and similar commodities which were brought from foreign countries, as well as a duty of 4*s.* per cwt. on grain and flour from them. They had formerly been accused of having nothing to propose; but Mr. Ecroyd had met that charge by making his proposal. He (the Duke of Rutland) had just said that there was no remedy except Protection to propose; but he thought he ought in fairness to mention that the noble Earl opposite the Secretary of State for the Colonies (the Earl of Derby) proposed emigration as a remedy, and that remedy had been very largely advocated in different quarters. At a meeting held the other day at Mile End, a system of State-aided emigration to our Colonies was earnestly advocated. It was suggested that about 200,000 of our working and artizan fellow-countrymen should thus be got rid of. Why should those people, who were the very life and backbone of the country, be thus expatriated, because England persistently refused to adopt any other policy than that of Free Trade? Were they not our fellow-countrymen? Had they not the same love of their Queen, their country, and of their homes, as the Members of their Lordships' House? They loved their cottages, and gardens, and flowers, and they could not be turned adrift as coaches and horses were put away? Besides, the country wanted those men—they were wanted for the Army and for the Navy, and we did not want to get rid of the most active and vigorous section of the population. Why were they to be sent out of the countries in which their labour was protected, because in Free Trade England they could not find employment? Would it not be more statesmanlike and honest to say—"We will protect your labour here as well as it is protected in Canada or the United States. Remain where you are. We want you here." There were many ways in which the depression in trade and agriculture caused by our present Free Trade system made itself felt. No country in the world cared for its poor as did this country. Nowhere were there so many hospitals and almshouses. But our hospitals were suffering acutely in the present distress. Guy's Hospital, for example, which derived nearly all its income from land, had seen that income reduced from £50,000 to £32,000; and had been compelled, and would be still further compelled, to reduce the scale of its beneficent operations. How was the present state of things to be remedied? It could only be remedied by a recurrence to the policy of Protection, which we had so unwisely abandoned, either with or against the will of the Government, and by making the question of Free Trade or Protection the test question at the next General Election. The working men had the question in their own hands. If the industrial portion of the country were desirous to have their industry protected, they must do so at the next Election. They must see whether candidates were Protectionists or Free Traders, and return a majority in favour of Protection to the House of Commons. If that were done, from that day the industry of England would flourish. Agriculture would become prosperous, and trade revive; the furnaces of the great manufactories would again blaze forth, giving employment to thousands; and the country would soon be brought back to its former happy state.

THE MARQUESS OF BRISTOL said, that, in his opinion, the establishment of an international arbitration tribunal, in order to settle any disputes that might arise, would do more than anything else to encourage and develop the trade of Europe, by setting free that large portion of the industrial power which was at present absorbed in military operations, in the shape of standing Armies; another principle which, he believed, should be adopted to that end was that of taxing moderately every imported article of general consumption.

The Earl of KIMBERLEY said, he hoped that the noble Duke who had brought this subject under the notice of the House (the Duke of Rutland) would not think him wanting in respect towards him if he did not attempt to follow him through all the topics into which he had entered. It was, unfortunately, an indisputable fact that agricultural distress did exist in this country, and had existed for several years; and that fact had been admitted by the late Government, who had appointed the Agricultural Commission, presided over by the noble Duke opposite (the Duke of Richmond and Gordon) to inquire into the causes of that distress. The present Government were also aware of the continuance of that distress, though, during last year, the country had not been subjected to such great difficulty respecting agriculture as during many previous years; and, therefore, it had not been thought necessary to make any allusion to it in the Speech Her Majesty was advised to deliver. There was a general opinion on one point—namely, that, whatever causes might exist, the chief one was an unusual succession of bad seasons. That, of course, was beyond the control of Parliaments and Governments to remedy, and they could only hope that they might have years of greater sunshine, and more favourable agricultural conditions. No doubt, there were measures of interest to the agricultural community, which were recommended by many people as a remedy; and the noble Duke had referred to the Bill which had been introduced into the other House of Parliament, which he said would, in his opinion, do very little towards relieving agricultural depression. When that Bill reached this House, Her Majesty's Government would be prepared to state their views with regard to it; but, at the present moment, he (the Earl of Kimberley) was sure he should be excused if he declined to discuss the provisions of a measure which was not before their Lordships. The noble Duke had discussed this question from the Protection or Reciprocity point of view; but the noble Duke must pardon him for saying that the question was not one of practical politics at the present time. Therefore, he did not think it worth while to occupy their Lordships' time by reiterating the arguments in favour of Free Trade, for there was a general agreement to adhere to the system which had been deliberately adopted. Our trade was not so flourishing as it had been at some other times; but to say that it was decaying would be a proposition it would be very difficult to maintain. The amount of shipping which passed through the Suez Canal showed that the trade, at all events, was not declining, for the greater part of it was British. The noble Duke brought forward the theory that the less they received for what they sold the richer they were. He (the Earl of Kimberley) could not follow that, because, by that reasoning, if they sold something for nothing at all, they would be attaining to a height of wealth almost impossible. He did not, however, deny that we were hard pressed by the competition of foreign countries; but he thought that, with the skill and industry and resources of the country, our people might be relied upon to hold their own. On the whole, he thought that there was no reason for us to despair of our commercial position among nations.

The Duke of RUTLAND said, that the noble Earl had not touched upon the subject of emigration.

The Earl of KIMBERLEY said, that, personally, he had never been in favour of emigration on a large scale, though, no doubt, we must look to it as an outlet for our surplus population in certain congested districts, such as existed in Ireland, where it had been of great assistance; and it was to the advantage of our working population that they should be allowed to carry their labour to any part of the world they might choose, and where extraordinarily high rates of pay might prevail for the time. He had been informed that in certain districts in England men who had emigrated were returning home, finding that wages abroad were falling, and that the diamond fields of South Africa were, for the present, played out. The Government were exceedingly anxious that any measures should be passed which would, in their opinion, facilitate the recovery of agriculture from the distress it was now undoubtedly enduring.

The Marquess of SALISBURY: My Lords, I should not like this discussion to close without thanking the noble

Duke (the Duke of Rutland) for the very interesting speech he has made. It was thoroughly characteristic of him, as a gallant defence of opinions he has long been known to hold upon the subject; and, whether we agree with him or not, we shall always listen with interest and with pleasure to opinions independently formed, and vigorously sustained. With regard to the question of agricultural distress, I think there are grounds on which we may complain of Her Majesty's Government. We have stated that before, and we may have reason to state it again. I wish they could be induced to pay a little more attention to the burdens which press on agriculture, and to take an interest in the gradual transformation of a large quantity of land from arable into pastoral farms, and mark the impediments thrown in the way of the healthy progress of that process, by the introduction of diseases from the Continent, which are fatal to the industry of the farmer. While making these remarks, it is almost superfluous to add that it was thoroughly ascertained by the Commission over which the noble Duke (the Duke of Richmond and Gordon) presided that it was from causes outside any legislative control that, in the main, the sufferings of agriculturists were caused. That is admitted on all sides, and we can only hope for better things in the future. But I still regret that the Government, under these circumstances, have not found, for the comfort and sustenance of agriculturists, any food more encouraging or nourishing than that very insignificant Tenants' Compensation Bill which is now making its way through the other House. I thoroughly concur in the opinion of the noble Duke that, so far as I can judge, it is a measure which will not do much harm, and probably do less good. My noble Friend did not confine himself to agriculture; but he also dealt largely with the question of the decline of trade. I must say there is one point on which he has reason to complain of the tone of the noble Earl opposite (the Earl of Kimberley), and of the tone generally adopted on that subject. Whatever our opinions as to Protection and Free Trade may be, we must never lose sight of the fact, the startling fact, that we are in a small minority in the world on the subject; and that the advocates of Free Trade, however deeply convinced they may be of the truth of their position, have no right to assume the airs of orthodoxy, and treat with contemptuous indifference all arguments that might be advanced on the other side. There is a vast majority in the world in favour of Protection. I belong, I regret to say, to the comparatively insignificant minority which believes in Free Trade; but, holding and avowing that position, I think the proper frame in which to approach this subject is to consider all the arguments adduced upon it, and to examine whether there is not in our system, however firmly we believe in our principles and mode of applying them, any weak point that vitiates the excellence of the principles we desire to uphold. There is one matter which interests very considerable classes in this country. It is a question called by some Reciprocity, and by others Retaliation; and it has, of late years, excited very great interest among those whom the right rev. Prelate (the Bishop of Peterborough) told us the other night would decide the fate of the institutions of this country—namely, what he called "the masses." They see the undoubted fact that a wall of tariffs exists around our trade; and they see that these tariffs do not diminish in severity, but that, as far as there is any movement, it is in the opposite direction, tending to grow more and more severe. They see we are isolated in this matter among the nations of the world, and that the promises and the sincere conviction under which the system of Free Trade was originally passed have not been fulfilled, and that other nations have not followed our example. They also see that this state of things forces our diplomatists into a position of singular weakness when they wish to argue for the relaxation of these terrible tariffs. They are like unarmed men going forth to meet men fully armed. They have no weapons by which they can instil fear of the consequences of refusing the alteration of the tariffs for which they plead; and, therefore, there has grown up—I do not say I agree with it—a feeling which I cannot ignore, and which, in considerable quantity, undoubtedly exists, a feeling in favour of that policy that is sometimes described as Reciprocity, but is more accurately described, I think, as a policy of Retaliation. I do not agree with it, because it do not see that it is immediately practicable. Whether, as a principle, Retaliation should be exercised or not, is a very difficult question of economics to decide. The arguments against it are very much the same as those against war of all sorts. You injure yourself in the effort to protect yourself, by injuring others. That is, no doubt, true; but arguments of that kind have not prevented mankind from seeing that in war often lies their only protection; and it may be that a retaliatory fiscal system, under certain circumstances, would be wise and profitable to a nation. Your Lordships will hardly forget the remarkable speech delivered by the late Lord Beaconsfield on this subject, four or five years ago. He then pointed out what seemed to me unanswerable—that the policy of Retaliation, whether good or bad, was not, at all events at that moment, open to the country to pursue. We have wound around ourselves a skein of obligations, in the nature of the "most favoured nation clauses," which would absolutely preclude us from adopting, on any extensive scale, such a policy of Retaliation, or of reserving to our diplomatists the liberty to use it or threaten it; and, therefore, so far as the immediate policy of the Government is concerned, it must be dismissed from the category of practical remedies for our distress. In saying that, I wish to carefully guard myself from saying that I think there is no foundation for the contention that a policy of Retaliation is consistent with the true principles of Free Trade. If it were possible, it might be necessary—it might be advantageous. I have no doubt that the Free Trade originally looked forward to by those who introduced that system was a Free Trade in which all nations should take their part. An enormous amount of the benefit, however, which we thought would come from the measure has failed to arrive in consequence of other nations refusing to follow our example; and, unless we take heed in time, and take the requisite precautions, we run the danger that our Colonies may follow in the same path with foreign nations, and that we shall be shut out from the ports, not only of Colonies, but of Dependencies, as we have been from the ports of foreign nations. I am, therefore, glad the noble Duke has brought the subject before us, for I do not think a question which so deeply concerns large masses of those employed in our agriculture or commerce ought to be pushed away from us, as if it were too unholy to discuss. We are in the midst of great difficulties, and we have very serious dangers and troubles to surmount. Poverty is growing, and the means of meeting and conquering it are not growing at the same time; and, therefore, I thank the noble Duke for having called attention to the subject. I think the Government will misconceive their duty if they cast it away in an indifferent or contemptuous manner.

EARL GRANVILLE: My Lords, I am satisfied with the discussion, and with the answer the noble Marquess opposite (the Marquess of Salisbury) has given with regard to Reciprocity. I should like to know, however, on what he founds the statement that pauperism is increasing in this country?

THE MARQUESS OF SALISBURY: I said "poverty," and I take the statement of the noble Duke (the Duke of Rutland) for it, that it is so.

EARL GRANVILLE: Oh! then, it is entirely founded on the statement of the noble Duke.

THE MARQUESS OF SALISBURY: No; it is not. I imagine that where there is distress there must be poverty, and in the last four or five years there has been great distress and poverty in very many classes. I could very easily produce, at some future day, evidence of the statements I have made; but I have been assured by persons well acquainted with the labouring classes, that they suffer seriously from want of employment, both in this city and in other large centres of industry. I know, with reference to the great agricultural interest, that many farmers are in such a condition that those who have been rich are now poor. There has been retrenchment on every side, and you cannot have retrenchment without throwing large numbers out of employment. I thought these facts were obvious to everyone, and I am surprised that the noble Earl should have treated them in this manner, and made them matter of debate. It would be easy to produce evidence of these things.

EARL GRANVILLE: I dare say that I am mistaken, and that the noble Marquess is right; but until he brings me the evidence alluded to I shall be rather doubtful. My impression is, that pauperism has decreased, that poor rates in agricultural districts have decreased, and that there is a very great increase in the deposits in the savings banks.

THE MARQUESS OF SALISBURY: I said "poverty," not "pauperism."

REPRESENTATIVE PEERS (SCOTLAND) BILL.—(No. 66.)

(*The Lord Chancellor.*)

REPORT.

Order of the Day for the Report of Amendments to be received, read.

Amendments *reported* accordingly.

Clause 1 (Roll of Peerages and Peers of Scotland to be annually prepared).

On the Motion of The LORD CHANCELLOR, the following Amendment made:—In page 1, line 15, after ("annexed") insert ("and").

Clause, as amended, *agreed to.*

Clause 2 (Form of Election Roll).

THE EARL OF STAIR (for the Duke of SUTHERLAND) regretted the noble Duke was not there to explain his own Amendment; but the object of it was to bring the 2nd clause of the Bill into conformity with the 8th clause. As it at present stood, it would have the effect, no doubt unintentional on the part of the noble and learned Earl, of excluding one Peer, and one only; and it seemed specially directed against that noble Lord. He trusted, therefore, that this Amendment would be accepted.

Amendment *moved,* in page 1, line 29, to leave out ("any peer") and insert ("two or more peers.")—(*The Earl of Stair.*)

THE LORD CHANCELLOR, in opposing the Amendment, said, he thought it would go extremely far to defeat the object in view under the Bill. The Committee of 1882, presided over by the Lord Justice Clerk, made this recommendation upon the subject and manner of preparing the Election Roll, and it had been followed in the present Bill. The Committee recommended that the Roll should be prepared by the Lord Clerk Register in the first instance, and that he should enter on it the name of every Peer who had voted at the election of Representative Peers without any objection or protest having been at any time made or taken against his right of voting within the last 20 years, and also the name of every Peer whose right had been considered and sustained by the House of Lords. The Committee went on to say, in the next paragraph—

> "This proceeding would very nearly embrace the whole existing Peerage of Scotland, for the cases of protest during the period in question are few."

Their Lordships would observe that its Committee recommended omissions of any Peer against whom there was any protest recorded, unless the House of Lords had sustained the claim; and the Bill which was last year introduced by his noble Friend (the Earl of Galloway) followed that proposition, and also laid down that the Roll should not contain the name of any Peer against whom any protest had been taken. There would be no injustice to any gentleman or nobleman, if such there were, whose name would be omitted by reason of a protest; because the Bill provided a simple and straightforward means by which he could get his name inserted upon the Roll by Petition to the Crown, if he were able to establish his claim. It had been said by the noble Earl that the Bill would only exclude one individual; but he believed the effect of the Amendment, if adopted, might be to introduce into the first Roll two Earls of Breadalbane, two Earls of Eglinton, two Lords Belhaven, and two Earls of Mar. He (the Lord Chancellor) supposed that the last was the only name which was thought by the noble Earl (the Earl of Stair) to be affected by the Amendment; but it would be seen that that was not so. He was not prepared to put the name of a person upon the Roll who had not proved his title. Taking up the other cases he had mentioned in the order of time, in the year 1870 a gentleman, a Relative of his own, claimed the Peerage of Belhaven, and voted in respect of that Peerage, and only one protest was recorded against him, and no protest had been recorded against him at any subsequent time, because the House of Lords determined that another person was entitled to the Peerage; but if this Amendment were adopted, it would be the duty of the Lord Clerk Register to put upon the Roll, in addition to that of Lord Belhaven, who had established his right by Resolution of the House, the name of his Relative, who was the unsuccessful claimant to the Peerage. Coming to the next case, which was still more singular, in 1872 a person, not the present Earl, claimed the title of Breadalbane, and four protests were recorded against him. The consequence was that, under the Act of 1847, the matter was reported to the House, and the House was called upon to establish his claim. The claimant took no steps in the matter, and it fell to the ground. The gentleman, in 1876, again appeared, and again voted, and only one protest was recorded against him. He did the same in 1879, and again only one protest was recorded against him; and if this Amendment were adopted, it would be necessary to put the name of this gentleman upon the Roll, as claiming to be Earl of Breadalbane. What the use was of making out a Roll of that sort he (the Lord Chancellor) did not know. The third case was that of the title of Eglinton. In 1874 a gentleman, not the present Lord Eglinton, voted, and one protest was recorded against him. In 1876 he did the same thing, and only one protest was recorded, and a similar thing occurred in 1880. Under this Amendment, that gentleman's name would be put upon the Roll, as well as that of the present Earl. Then he came to the case of a gentleman whom he always would speak of with respect and sympathy, and whom he should as readily as any man congratulate, if he should, in the proper and regular course, bring forward a claim to the ancient Earldom of Mar, and succeed in establishing it on proper evidence. If there ever was a claim to a Peerage, since the world began, which was surrounded with difficulty, it was certainly that claim. It was claimed six times by one gentleman, and on each occasion only one protest was made. After the adjudication in favour of Lord Kellie, that gentleman had never presented himself again, so as to give any opportunity for more than one protest. It was perfectly obvious that, if they were to have a Roll at all, they would stultify themselves, and set about it in the most extraordinary manner, if they were to insist on putting upon the first Roll the names of three claimants, as to whom no human being had any ground for believing that they had any right to be there, and of another, whose right was not only established or uncontroverted, but was as much the reverse as anything possibly could be. He ventured to suggest that their Lordships should not accept the Amendment.

THE EARL OF KINTORE said, that the Amendment would make it lawful for the Lord Clerk Register to place on the Roll the name of the gentleman who claimed the ancient Earldom of Mar. His case really stood by itself. It must be remembered that, in order to make these protests valid, they must be handed in by Peers; and, so far as he was aware, that had not been done in any of the cases cited by the noble and learned Earl (the Lord Chancellor).

THE LORD CHANCELLOR said, that was not so; for, if his information was correct, every one of the protests were handed in by Peers.

THE EARL OF GALLOWAY was understood to corroborate what had been said by the noble Earl behind him (the Earl of Kintore).

THE LORD CHANCELLOR said, that his information was derived from a Return made to the House itself.

THE EARL OF KINTORE said, he believed that the noble and learned Earl upon the Woolsack had been misinformed, and that the whole effect of the Bill would be to keep off the Roll one heir of his uncle, who, undoubtedly, was Earl of Mar. The gentleman in question did all that any of them could have done to take up his title; he had been served heir to his uncle, had matriculated his arms in the Herald's College, and had voted at elections in 1868, 1870, 1872, and 1874; and in no case was more than one protest recorded against him. Surely, it would be fair and right to allow his name to go on the Roll; and if he was not the Peer he claimed to be, anyone who had a better title should come forward and prove his claim. If, by this side-wind, they should keep one individual off the Roll, their Lordships would agree with him, it was not a course which should be taken.

THE EARL OF MAR AND KELLIE said, that, on former occasions, he had always avoided saying anything when a question of this kind was raised; but, really, after the remarks which had been made by the noble Earl (the Earl of Kintore), he felt bound to utter a few words. He should like to know when that House had said he had no title to be on the Roll? There was only one title on the Roll, and that he claimed, on the ground that the ancient title had come to an end. The House of Lords, in their decision, did not, however, say that the ancient Earldom had come to an end; and it was, therefore, possible for anyone to come forward and say he had a right to claim it. But, in order to do so, he would have to prove that the ancient Earldom existed, that it descended to heirs general, and that he was the heir-general. He (the Earl of Mar and Kellie) denied that the gentleman who claimed it could fulfil any of these conditions; but he would be extremely obliged to him if he could do so in regard to the first two, because then he (the Earl of Mar) should at once claim it on the ground of the subsequent charter, which limited the title to heirs male.

THE EARL OF GALLOWAY said, he wished to point out that the clause, as it stood at the present moment, would embrace the persons to whom the noble and learned Earl on the Woolsack had alluded, with the one exception of the owner of the ancient Earldom of Mar. He (the Earl of Galloway) did not know against whom the Bill was directed, if not against the owner of this ancient Earldom. The noble and learned Earl had certainly been misinformed, for none of those holding the titles of Belhaven, Breadalbane, or Eglinton, to whom he had referred, had been protested against by a Peer. As the House was thus being entirely misled by these misrepresentations of the noble and learned Earl on the Woolsack, he (the Earl of Galloway) hoped the noble Earl (the Earl of Stair) would take the sense of the House on the Amendment which he had moved in the absence of the noble Duke (the Duke of Sutherland), in whose name it stood, in which case he should certainly support him.

LORD BRABOURNE said, he only rose because, having gone upon the Committee which sat upon this subject last year without knowing any of the parties concerned in the Mar case, he had formed a very decided opinion upon the point now at issue. The noble and learned Earl upon the Woolsack might, indeed, have shown that the Amendment proposed to his clause would still leave it defective; but the consequence of leaving it in its present shape would be that a gentleman would be struck off the Roll merely because one individual Peer had protested against him, that Peer being the one person who had claimed his title, and had not got it. For their Lordships ought to recollect that the Peerage granted to the noble Earl (the Earl of Mar and Kellie) was expressly stated not to be the ancient Earldom of Mar, but a Peerage supposed to have been created in 1565. The present holder of the ancient title had succeeded his uncle as heir-general; and it was the fact that, when the attainder was taken off in 1824, the Peerage was restored to an heir who succeeded through his mother. The present holder had done all that was required of him on succeeding to the title; and if he was to be struck off the Roll as proposed, their Lordships would, by that retrospective action, do an act of grave injustice.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that the object of the Bill was to prevent unpleasant disputes arising at the election of Scotch Peers. It was desirable that a Roll should be provided, and under the Bill that would be done; and no person would be allowed to be on it, or have a right to vote, unless he had proved his claim to be there. But it was now proposed to put two persons of the same name on the Roll, in order that, at the very next election of Scotch Peers, a dispute might arise. As to the gentleman who claimed the ancient Earldom of Mar, all he (the Earl of Redesdale) could say was, that he had never attempted to make good that claim, although he had been invited to do so.

THE MARQUESS OF SALISBURY, interposing, rose to Order, and asked where all this discussion was to end? He was afraid it never would do so if they went into the question of the ancient Earldom of Mar. He deprecated any further discussion upon that subject, for there were many advocates who might be interested in it, and the question had been disposed of by their Lordships' House.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he could assure his noble Friend (the Marquess of Salisbury) that he had no wish to weary the House, and would, therefore, say no more upon the matter.

THE EARL OF WEMYSS said, the result of the Bill, as it now stood, bore a personal, and, he ventured to say, an invidious character, because the clause they were now discussing would have this effect. It would affect one Scottish Peer, and one only; and, if the clause were not amended, his name would not be put upon the Roll. If the clause were amended, it would be open to the noble Earl who had protested before, and who was the only protestor against the Earl of Mar being on the Roll, and to any other Peer, to come forward and protest. The Peer in question, Mr. Goodeve Erskine, who, on the death of his uncle, was put upon the Roll as a Peer, and whose vote at the Election of Representative Peers had been received several times, would, by this Bill, be struck off the Roll, though he had only been protested against once; whereas the noble Earl who protested against him (the Earl of Mar and Kellie) had been protested against 41 times, and 26 Peers had entered a protest against the course taken in 1881. It would be well if, by adopting the Amendment, they were to strike out any invidious personal matters.

Lord ELPHINSTONE said, he was surprised at the noble Earl who had last spoken (the Earl of Wemyss) having referred to Mr. Goodeve Erskine as an Earl. That gentleman had claimed, in the Court of Session, the estate of the noble Earl behind him (Lord Elphinstone); but he was not allowed to appear as Earl of Mar. He appealed to the House of Lords, where he was told, however, he must claim as Mr. Goodeve Erskine, and not as Earl of Mar. Further, he appealed to the Home Secretary for precedence, as Earl's daughters, for his sisters; but that right hon. Gentleman, after taking the opinion of the Heralds' Office, refused the request.

The Earl of GALLOWAY: That is not the case.

A noble Lord: I must call the noble Earl to Order; this sort of language is not proper to be used in this House.

Lord ELPHINSTONE, continuing, said, he could prove what he was saying by documents, which could not be gainsaid. Then Mr. Erskine was presented at Court, under the title of the Earl of Mar, and the Lord Chamberlain's Office cancelled the presentation; and yet, after all that, they were now asked by this Amendment to say that Mr. Erskine was a Peer. He hoped the Amendment would not be supported.

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Resolved in the *negative.*

On the Motion of The Lord Chancellor the following Amendments made:—In page 1, line 29, leave out ("present and"); in page 2, line 6, leave out ("before"); and in line 7, after ("herein") insert ("before.")

Clause, as amended, *agreed to.*

Clause 4 (Names on Roll only to be called at elections).

On the Motion of The Lord Chancellor, the following Amendment made:—In page 2, line 40, leave out ("title") and insert ("titles.")

Clause, as amended, *agreed to.*

Clause 5 (Proceedings by heirs of deceased persons).

On the Motion of The Lord Chancellor, the following Amendments made:—In page 3, line 9, after ("when") leave out ("Such Roll is"), and insert ("this Act was passed, or when the Election Roll for the time being in force"); and in line 16, leave out ("thereupon.")

Clause, as amended, *agreed to.*

Clause 7 (Petitions as to rights of peerage and precedency, and to correct errors in Roll).

The Earl of WEMYSS, in moving, as an addition to the clause, a Proviso that, before any order should be issued by the House of Lords, altering the order of precedence on the Election Roll on the Report of the Committee of Privileges, such Report, together with the Evidence upon which it rests, should have been presented to the House, and laid upon the Table, not less than one month from the date of its presentation, said, it would in no way take away any power from their Lordships under the Statute to alter the Union Roll on a Report of the Committee of Privileges. But, before that was done, he asked that they should not issue any order with reference to the alteration of the order of precedence without the Report and Evidence having been laid on the Table of the House, that time might be given for publicity, say not less than one month before any action was taken.

Amendment *moved,*

In page 4, line 20, at the end of clause to add—"Provided also, that before any order shall be issued by the House of Lords altering the order of precedency on the Election Roll on the report of the Committee of Privileges, such report, together with the evidence upon which it rests, shall have been presented to the House and lain upon the Table not less than one month from the date of its presentation."—(*The Earl of Wemyss.*)

The LORD CHANCELLOR said, he saw no objection to the Amendment, and would, therefore, accept it.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 8 (Protests).

On the Motion of The Lord Chancellor, the following Amendments made:—In page 4, line 26, after ("election") insert—

("Or by any such peer in the name and on behalf of any other peer voting by proxy at such election");

In lines 28 and 29, leave out ("present") in line 28, and ("and") in line 29; and in line 34, leave out ("present and.")

Clause, as amended, *agreed to.*

Bill to be read 3ª on *Tuesday* next; and to be *printed* as amended. (No. 84.)

SEA FISHERIES BILL [H.L.]

A Bill to carry into effect an International Convention concerning Fisheries in the North Sea, and to amend the laws relating to British Sea Fisheries—Was *presented* by The Lord Sudeley; read 1ª. (No. 83.)

House adjourned at Seven o'clock,
to Monday next, a quarter
before Eleven o'clock.

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HOUSE OF COMMONS,

Friday, 8*th June,* 1883.

The House met at Two of the clock.

MINUTES.]—Supply—*considered in Committee*—R.P.

Public Bills—*Resolution* [June 7] *reported*—Parliamentary Elections (Corrupt and Illegal Practices) [Payment of Costs and Expenses]*.

Ordered—First Reading—Drainage (Ireland) Provisional Orders (No. 2) * [220]; Yorkshire Register Acts Amendment * [221].

Committee—Lord Alcester's Grant (*re-comm.*) [207], *debate adjourned.*

Committee—Report—Consolidated Fund (No. 3)*; Registry of Deeds (Ireland) [202].

QUESTIONS.

PUBLIC HEALTH (IRELAND)—WATER SUPPLY OF BROADFORD, CO. LIMERICK.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that the people of Broadford, county Limerick, are badly in want of fresh water; whether it is a fact that the inhabitants of that place have frequently written to the Local Government Board on the subject; and, if he will order steps to be taken at once to remedy this great want?

MR. TREVELYAN: The only complaint made on this matter to the Local Government Board had reference to the repair of a pump, which was a subject of dispute between the Board of Guardians and the inhabitants of Broadford. The Board of Guardians gave way, and placed the matter unreservedly in the hands of the Guardian from the electoral division in which Broadford is situated, telling him to get the work done to the satisfaction of the residents in the place. This occurred early in last November, and no complaint has since reached the Local Government Board; but they will make inquiry as to what was done.

MR. O'SULLIVAN remarked that the pump was being constructed for the past five years, and it was not yet finished.

POOR LAW (IRELAND) — BELFAST WORKHOUSE—ERECTION OF NEW DWELLING HOUSE FOR MASTER.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the proposal of the Belfast Guardians of the 29th ultimo, to erect a new detached dwelling house for the present workhouse master, at a cost of £600 or £700; if it be true that the master was only appointed about two years ago, and since this time upwards of £200 have been expended in general improvements to, and furniture for, his apartments, in addition to the furniture previously purchased for them; is it true that this expenditure was incurred in order to accommodate the master's wife and family, who are maintained out of the rates; are these apartments the same as those occupied by all previous masters; and, will he undertake to have this proposal of the guardians set aside on the ground that the expenditure is unnecessary?

MR. TREVELYAN: Inquiry on this subject has been made; but as the Question only appeared on the Paper yesterday, a full reply has not yet been received. I am able to state, however, that the apartments of the master of the workhouse having been complained of as unhealthy, and having been, after examination by a special committee of the Guardians, condemned as unfit to live in, it has been proposed to erect a suitable dwelling at a cost not to exceed £400. The proposals of the Guardians will receive the careful consideration of the Local Government Board before a decision is come to.

PARLIAMENT — PUBLIC BUSINESS — BALLOT ACT CONTINUANCE AND AMENDMENT BILL.

MR. NEWDEGATE asked the President of the Local Government Board, Whether, inasmuch as the several provisions of the Parliamentary Elections (Corrupt and Illegal Practices) Bill are dependent on the passing and provisions of the Ballot Bill, when he proposes to proceed with the Ballot Bill?

SIR CHARLES W. DILKE: I am anxious to make progress with the Bill, as are the Government as a whole. It is not our fault that so little progress has been made up to the present. I will bring it on as early as possible.

MR. NEWDEGATE: May I ask the right hon. Gentleman, further, whether he will give any assurance to the House that further proceedings on the Ballot Bill will take place before the completion of the Committee stage of the Parliamentary Elections (Corrupt and Illegal Practices) Bill?

SIR CHARLES W. DILKE: I hope so; but I cannot give any assurance. It does not depend on the Government really.

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL—REPORT OF DEBATE.

SIR HERBERT MAXWELL asked the Under Secretary of State for India, When the two Reports, complete and incomplete, of the Debate in the Indian Legislative Council upon Mr. Ilbert's Native Jurisdiction Bill will be laid upon the Table of the House, in accordance with his undertaking made on the 28th May?

MR. J. K. CROSS: The telegraphic summary of the debate on the Jurisdiction Bill will be presented to-day and distributed with the full report of the debate which was laid on the Table on the 28th of May, and is now being printed.

Mr. E. STANHOPE: Will the hon. Gentleman ask the Indian Government that Reports from the Local Governments to Lord Ripon shall be sent home without any delay? My object, of course, is that they may be printed before the end of the Session.

Mr. J. K. CROSS: We have already asked that they may be sent on as early as possible.

Sir HERBERT MAXWELL: Is there any precedent for a debate in the Legislative Council being reported and telegraphed at the expense of the Government, except in the case of the Budget debates, which are not controversial?

Mr. J. K. CROSS: I cannot answer that Question without Notice.

EGYPT (EXPEDITIONARY FORCE)—THE ARMY MEDICAL DEPARTMENT.

Dr. CAMERON asked the Secretary of State for War, Whether the hospital at Troodos, in Cyprus, having been given up with the consent of the Principal Medical Officer of the British Army in Egypt on or before 24th August, and Sir Garnet Wolseley having on 30th August stopped the "Carthage" with 196 sick on board for Cyprus, the Principal Medical Officer, after communication with Cyprus on 3rd September, wrote to the Chief of the Staff that it seemed a great pity to disturb the hospital arrangements made elsewhere than at Troodos, in Cyprus; whether, on 4th September, he received from the Chief of the Staff the reply, "Sick can be sent to Cyprus;" whether, on 9th September, 72 sick were sent to Cyprus; whether, on 14th September, 300 more were ordered to sail for Cyprus; whether he had, before 24th August, ordered that Cyprus should not be used as a hospital until October; whether the Principal Medical Officer stated before Lord Morley's Commission that, up to the 19th of January, he had never heard of this decision; if he would state whose duty it was to inform the Principal Medical Officer of the decision of the Secretary of State; and, whether the Director General of the Medical Department at home was ever informed of it? The hon. Member also asked, Whether, when Ismailia was seized and the plan of campaign developed in Egypt, the Principal Medical Officer and the Principal Commissariat Officer of the Army were informed of so much of the General's plan as was necessary to enable them to arrange for the efficiency of their respective departments under the altered conditions; and, if so, at what date was the seizure of Ismailia as a base sanctioned by the War Office, and at what date were these officers respectively informed of the intention to seize it?

The Marquess of HARTINGTON: I must ask the hon. Member to bear in mind that the Army in Egypt was commanded by the General Officer on the spot, and not by the Secretary of State at home. Nearly all the points in this long Question relate to local details in connection with the conduct of the Campaign in Egypt. I have no information on these points beyond that contained in the Evidence given before Lord Morley's Committee, which is before the House. With regard to the last part of the hon. Member's Question, I will read the Minute of Sir John Adye, the Chief of the Staff, approved by the Secretary of State, which contains the only thing in the nature of an order given on the subject by the War Office prior to the despatch of the Expedition. As I have before stated, any subsequent orders varying this decision would be given by the Commander-in-Chief of the Expedition. The Minute is as follows:—

> "I have seen the Director General of the Army Medical Department and the Principal Medical Officer of the Force. They concur that, looking at the season of the year, and that the weather will be cool towards the end of September, Troodos may be given up, and a hospital established at Polymedia, near the place of disembarkation.
>
> "(Signed) John Adye, August 3, 1882."

This answer applies also to the hon. Member's last Question. The determination of the base of operations in Egypt was wholly a matter for the determination of the General commanding the Force; and it was for that officer, acting through the Chief of the Staff, to convey to the Heads of Departments under him such instructions as he might think necessary and desirable.

Dr. CAMERON said, that on Lord Wolseley's Annuity Bill he should oppose any grant unless full explanation were offered regarding the arrangements made at head-quarters affecting the Medical Department. At present unmerited blame seemed to be thrown upon that Department.

SIR H. DRUMMOND WOLFF asked whether the hospital at Cyprus was given up on the motion of Sir Garnet Wolseley, or by instructions from the Secretary of State?

THE MARQUESS OF HARTINGTON said, he could not go much into detail; but the hospital at Cyprus was not given up until the battle of Tel-el-Kebir, when the Campaign was virtually at an end, and the hospital at Cyprus would not be required.

LORD RANDOLPH CHURCHILL asked, if it was the case that, owing to the fact of the military authorities at home, in conjunction with Sir Garnet Wolseley, having decided that the base hospital should be at Cyprus, there was no base hospital at Ismailia when the troops were landed?

SIR H. DRUMMOND WOLFF also asked, whether it was decided to give up the hospital at Cyprus on the 3rd August; and whether troops were embarked on the 30th August for Cyprus, and then stopped by Sir Garnet Wolseley?

THE MARQUESS OF HARTINGTON said, no final determination with reference to a general hospital was arrived at until after the battle of Tel-el-Kebir. The decision come to on the 3rd of August was that an hospital at Troodos would not be necessary.

ARMY—PURCHASE OF SUPPLIES.

DR. CAMERON asked the Surveyor General of Ordnance, Whether it is true that, while supplies purchased for the Army in London for special occasions, such as the Egyptian Campaign, are purchased and dealt with by civilian brokers, similar articles are purchased and passed at home and abroad, and under all other circumstances, by the Commissariat; and, whether the Director of Supplies, officially responsible for the purchase of the flour sent to Egypt, or the Commissary General, were consulted as to the recommendation of Messrs. Bovill that American flour should alone be sent out, or as to the mode in which it was to be shipped?

MR. BRAND: Supplies purchased in London are obtained under the system in force in the London market. This system gives us the advantage of highly trained experts in the various branches of trade. Under other circumstances, speaking generally, garrisons at home and abroad are supplied under periodical contracts. As a rule, these supplies are delivered direct to, and are inspected and passed by, the troops. But the contractor can appeal against a rejection to a Special Board, of which the Commissariat Officer, when available, is appointed a member. The officer acting as Director of Supplies dealt with the question of the purchase of flour for Egypt. It was never intended to depend solely on American flour. Local supplies were to be secured, and the shipment in question was only made to meet immediate wants on landing.

LAND IMPROVEMENT AND ARTERIAL DRAINAGE (IRELAND) BILL, 1883—"COPYHOLD LAND."

MR. MARUM asked the Secretary to the Treasury, Whether the expression "copyhold land," in Clause 68 of the Land Improvement and Arterial Drainage (Ireland) Bill, 1883, is intended to apply to and include land subject to statutory terms; and, if not, whether he will provide that such statutory land tenures in Ireland of a quasi perpetual character, subject to fair rental conditions, may be brought within the meaning of such definition Clause?

MR. COURTNEY: My right hon. Friend has asked me to answer this Question. If I understand the hon. Member aright, he desires to know whether occupiers at judicial rents can be brought within the definition of owner for the purposes of the formation of a drainage district and a Drainage Board. This is a very important question, and was carefully considered when the Bill was in preparation; but I came to the conclusion, having regard to the fact that the Bill is mainly a Consolidation Bill, that it would be impossible to introduce this new proposal in it without making hopeless what is already sufficiently precarious—the chance of passing the Bill. I may point out that such tenants can, under Section 31 of the Land Act, obtain loans for the draining and improving of their separate holdings.

MR. MARUM asked what was meant by the expression "copyhold land?" He was not aware that there was any such land in Ireland.

Mr. COURTNEY said, the expression intended to apply to copyhold land. If none existed in Ireland, it would not apply.

THE MAGISTRACY (IRELAND)—SPECIAL RESIDENT MAGISTRATES.

Mr. DAWSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Irish Government mean to dispense with the services of the special resident magistrates in Ireland, and also of the temporary resident magistrates; and, if so, when; and, whether the statement that they intend to continue some of them as special provincial or county magistrates has any foundation?

Mr. TREVELYAN: Sir, I am sorry to say that, by some oversight, I did not notice this Question on the Paper; but I have answered on a previous occasion that the Government were anxious to introduce a change into the present system of local police and criminal administration in Ireland, and that, later on in the Session, they intend to introduce a Bill for the purpose. When that Bill is introduced I shall be prepared to answer Questions with regard to the personal arrangements made and the gentlemen employed. The Special Resident Magistrates are only temporarily employed; and in the position in which they now are I do not conceive that Questions regarding them need be asked until the change is proposed. But if the hon. Member has any special Question to ask which I would be justified in answering, I shall be glad to answer it.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

Mr. HENEAGE asked the Prime Minister, When he answered a Question last night by the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot), whether he was aware that, in replying to the right hon. Baronet (Sir Michael Hicks-Beach), the Chancellor of the Duchy the other night stated that he would not like to re-commit the Agricultural Holdings Bill, because he desired to go on with it next Monday, and to re-commit it, in order to incorporate procedure clauses, would cause delay; whether he was aware that, in consequence of that answer, hon. Members understood that the Bill would be gone on with on Monday, and through next week; and, whether he did not consider it would cause inconvenience if that arrangement was altered?

Mr. GLADSTONE, in reply, said, that at the time his right hon. Friend made the answer, the Government were not certainly aware that they would have the Parliamentary Elections (Corrupt and Illegal Practices) Bill in a condition to go into Committee last night or to-day; and he agreed with the observations of the hon. and gallant Gentleman (Sir Walter B. Barttelot) that it was better for the interest of both subjects not to mix the Committees upon Bills of this character. There was no difference whatever in the intention of the Government to proceed with these two Bills; but, on the whole, having already gone into Committee on the Parliamentary Elections (Corrupt and Illegal Practices) Bill, they thought it would be for the convenience of the House that they should persevere with the Committee on the Bill first, and that was the intention they had formed. Some of the circumstances of the debate last night certainly tended to impress them that it was well there should be no appearance of hesitation on the part of the Government with respect to this Bill.

Sir STAFFORD NORTHCOTE asked whether the Government were or were not going to accept the suggestion of his right hon. Friend (Sir Michael Hicks-Beach), that it was desirable to incorporate in the Agricultural Holdings Bill the clauses from the Agricultural Holdings Act of 1875, in order to avoid reference to two Acts? As there was now time given before proceeding with the Committee stage on this Bill he thought it would be desirable to take the course suggested and re-commit the Bill.

Mr. GLADSTONE said, he did not think it would be desirable to take a course that should mix a re-discussion of all the old clauses with the discussion on the new clauses. The whole argument for introducing the old clauses was for convenience of reference. What they should take into consideration was whether they should not take the Bill through Committee as it was, and subsequently to re-commit it for the purpose of introducing the old clauses. He did not object to the proposal in principle; but they should have an opportunity of considering during the next few days what would be the best course to adopt.

Mr. CARTWRIGHT said, he feared if the Parliamentary Elections (Corrupt and Illegal Practices) Bill were to be carried through Committee before they again took up the Agricultural Holdings Bill they might not be able to deal with the latter Bill at all.

Mr. GLADSTONE said, he was sorry his hon. Friend should indulge in such gloomy anticipations. The Government entertained considerable confidence that both Bills might be disposed of within a time when it might be for the convenience of most Members of the House to attend.

Sir GEORGE CAMPBELL asked the Prime Minister, Whether, since he had once successfully taken a Tuesday, he would not consider the propriety of taking another Tuesday, and of discontinuing the Morning Sittings, by which the working time of the Grand Committees was shortened, and the House was counted out regularly at 9 o'clock?

Mr. GLADSTONE said, he thought he should be acting more agreeably to usage, and the general feeling of the House, if he persevered for a short time in the course of the Motion which the House had granted the Government, and they could then form a judgment according to circumstances.

In reply to Sir Stafford Northcote,

Mr. GLADSTONE stated that the Business of next Tuesday would be the Committee on the Parliamentary Elections (Corrupt and Illegal Practices) Bill and a Morning Sitting.

LAW AND JUSTICE (SCOTLAND)—CASE OF NORMAN MACKINNON.

Mr. WILLIAMSON (for Lord Colin Campbell) asked the Lord Advocate, Whether his attention has been drawn to the case of Norman Mackinnon, a crofter in the parish of Barvas, who claims the sum of £40, which he alleges lawfully belongs to him as heir to his brother Donald Mackinnon, who died in the Transvaal in 1875, and which sum was sent by the authorities of the Transvaal to his father, Lachlan Mackinnon (since deceased), described as "residing in an island belonging to the parish of Harris." The money sent in the form of a bill of exchange was by mistake received by another Lachlan Mackinnon, also residing in an island belonging to the parish of Harris, namely, St. Kilda, whose son, also named Donald, had left St. Kilda thirteen years before, and had not since been heard of. Documents were procured clearly establishing the fact that a mistake had been made, and that the money was intended to be sent to the Lachlan Mackinnon first mentioned, and who formerly resided in the island of Taransay. Every endeavour was made by Norman, the son of the latter, to recover the property. In consequence of the great obstacle arising from the fact that there is no postal communication to St. Kilda, Norman Mackinnon resorted to the expedient of causing his name to be put on the poor's roll of the court, and sought justice from the Court of Session; and two agents were appointed in succession by the Court of Session; whether the agent last appointed, despairing of successfully prosecuting the case in consequence of the absence of regular postal communication between St. Kilda and the mainland, applied to the Crown authorities and demanded a criminal prosecution; whether, in consequence, the papers were ordered to be sent to the Procurator Fiscal at Lochmaddy in June 1881, and, on the decease of the Procurator Fiscal a few days after, a fruitless search was made for these papers; whether he is aware that the Minister of Barvas communicated with the Home Office, and that the following reply was sent by the Under Secretary of State:—

> "That he regretted he could not interfere to aid in the enforcement of a pecuniary claim, and that, after consultation with the Lord Advocate, he was of opinion that there would be no ground for criminal proceedings unless it were proved that the St. Kilda man was retaining the money in bad faith;"

whether any steps were taken to throw light on this point; and, whether, after seeing the missing papers which were discovered last year, he has decided not to institute criminal proceedings; or, what further steps will be taken by the Crown authorities in Edinburgh to prevent a miscarriage of justice?

The LORD ADVOCATE (Mr. J. B. Balfour): This case has been several times under consideration. In its first aspect, it is plainly of the nature of a civil claim for the recovery of money alleged to have been paid in error. This was the view taken by the advisers of Norman Mackinnon, until they were deterred by the expense from further proceeding with a civil action, and applied to the Crown authorities to institute a criminal prosecution. The papers were sent by Mackinnon's agent to the Procurator Fiscal at Lochmaddy, who died shortly afterwards, and the papers were missing for a considerable time. A search instituted by direction of the Crown Office was at length successful; but after considering them we came to the conclusion that there was no ground for criminal proceedings, as it was not proved that the money was received, or was being retained in bad faith, even if it was paid in error, which has never yet been established. I understand that Lachlan Mackinnon, St. Kilda, asserts that he believes the money to have come from his son. The case is not one for the action of the Crown authorities, who could only proceed if there was ground for a criminal charge; and the papers have been returned to Mackinnon's agent, who may take such steps as he thinks proper.

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI.

Lord RANDOLPH CHURCHILL: I should like to ask the Prime Minister a Question as to which I regret I have been unable to give him Notice, and which I am afraid he will not be able to answer at once. [*A laugh.*] This is not a laughing matter, as it involves a question of life and death. It is, Whether the right hon. Gentleman has seen the news from Egypt this morning that Suleiman Sami, who was the Military Commandant at Alexandria, has been condemned to death, and that the prisoner's counsel was refused permission by the Court at the trial to produce evidence which he considered to be necessary to his client's case; whether, bearing in mind the pledge which the right hon. Gentleman gave long before Whitsuntide with respect to a similar trial, Her Majesty's Government will use their influence that only a *bonâ fide* and honest trial should be held, so that the prisoner may be at liberty to bring forward any evidence he can to rebut the charge against him; and, whether the right hon. Gentleman will endeavour to cause the delay of the execution of this unfortunate man until the Government have satisfied themselves that the trial has been, in all respects, a fair and satisfactory one?

Mr. GLADSTONE: The noble Lord is right in supposing that I cannot give a substantial and complete answer to him on the Question. We have received a telegram setting forth the fact of the condemnation of this person, and we have likewise a statement of the fact that restrictions were placed on the examination and cross-examination of witnesses. We have not yet received any statement from our own Representative which would enable us to arrive at any decision on those facts. I have borne in mind the pledge that was given with regard to a particular case before Whitsuntide, and measures will be taken to ascertain whether the pledge has been fulfilled under the present arrangement. I shall certainly lose no time in making inquiries, and I will endeavour to put the House into possession of a fuller account of this case than it possesses at present.

Lord RANDOLPH CHURCHILL: I suppose there is no danger of the execution taking place before Her Majesty's Government receive that fuller information. May we count on that?

Mr. GLADSTONE: I am afraid I cannot go as far as that. The noble Lord asks us, in regard to the whole of these proceedings in Egypt, to secure beforehand that Her Majesty's Government shall have power, after what we have done in Egypt, to interfere in this matter. That is more than I can pledge myself to. All I can pledge myself to is to put ourselves as early as possible into communication with our Representative, and then to take such steps as the case may require.

Sir H. DRUMMOND WOLFF: Will the right hon. Gentleman assure us that Her Majesty's Government will make such representations to the Government of Egypt as shall delay the execution until after these communications have been made?

Mr. JOSEPH COWEN: I should like to ask the right hon. Gentleman whether Toulba Pasha, who has been released, and is now in Ceylon, was not really in command at Alexandria; and whether this man, Suleiman Sami, was not a subordinate official?

Mr. WADDY: I desire to ask a Question, as to which, in the first instance, I would remind the Prime

Minister and the House that at the time of the trial of Arabi Pasha it was distinctly stated that a very large number of papers belonging to him had been obtained with great difficulty, and were now in the custody of the English Consul. They were obtained for the purposes of the trial, and I would therefore ask whether, seeing that a question of life and death is involved, there is any chance of these papers being sent to England; and whether they will be laid on the Table of the House? Until we get these private papers we shall never be in a position to know the real truth about these massacres.

MR. GLADSTONE: Will my hon. and learned Friend give Notice of that Question?

SIR H. DRUMMOND WOLFF: I should like the right hon. Gentleman to give an assurance that representations will be made to the Egyptian Government to delay the execution until Her Majesty's Government has received further information?

MR. GLADSTONE: It is absolutely necessary that before I can give a definite reply we should believe there is ground for our making such a request; but what I have said is that we will use the greatest expedition in order to put ourselves in possession of the facts.

SIR STAFFORD NORTHCOTE: But surely, in a case like this, some steps might be taken to prevent what will be irreparable. I do not wish to prejudge the course which Her Majesty's Government will take; but surely some steps might be adopted to obtain a sufficient delay to enable the inquiry to be made.

MR. MACARTNEY: It is possible that this unfortunate man may be hanged while the inquiries are going on.

LORD RANDOLPH CHURCHILL: Does the Prime Minister know that it would very probably be a godsend to the present Egyptian Government if this man could be hanged?

MR. GLADSTONE: It is extremely difficult, in the absence of my noble Friend who represents the Foreign Office (Lord Edmond Fitzmaurice), to say anything further in this matter. We have no information which would enable us to say whether it is or is not the case that this trial has been improperly conducted. The proper course for us to take is to say that we will lose no time in obtaining information.

SIR STAFFORD NORTHCOTE: It is only reasonable, before the House breaks up this evening, that we should have an answer on the subject. If the right hon. Gentleman will undertake to communicate with the Foreign Office on the point, I will put a Question to him before the House rises.

ORDERS OF THE DAY.

LORD ALCESTER'S GRANT (*re-committed*) BILL.—[BILL 207.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone.*)

COMMITTEE.

Order for Committee read.

MR. GLADSTONE: With the indulgence of the House, I will explain the reasons for the change which has been made in the form of the proposal for grants to Lord Alcester and Lord Wolseley. Originally it was submitted in the shape of annuities for two lives, and indisputably we were governed in a great degree in the matter by uniform course of precedent. But undoubtedly we find sufficient reason for deviating from that course. It cannot be said that it is absolutely a matter of principle, though it was, of course, a real tradition that we should adopt the form of annuity for a provision of this kind; because if you made it a matter of principle then it would be obvious, in order to satisfy the principle, the annuity ought to be what in former times it was—namely, a perpetual annuity. To these perpetual annuities the House has exhibited very great, and, I must say, very just objections—objections so just and so striking that the hon. Member opposite, the Member for Mid Lincolnshire (Mr. Chaplin), has not scrupled to make himself the political heir or residuary legatee of the sitting and non-sitting Members for Northampton, and to take into his hands the prosecution of the policy which the junior Member for Northampton (Mr. Bradlaugh) announced in assailing perpetual pensions. However, there were several facts before us; there was a considerable amount of objection to the mode of proceeding in the form of annuity, and that objection was by no means confined to any one section of the House. But I am bound to say that another consideration weighed very materially with us. What we feel is that, while there is a belief and a general disposition on the part of an enormous majority of the House, without distinction of Party, to reward services of this kind, performed under arduous circumstances, and while we believe it to be alike good in policy and in principle that they should be thus rewarded, we feel that the manner of conferring the reward is a consideration of extreme importance; and, as in long debates involving personal matter it could scarcely be possible to distinguish the individuals who are the immediate objects of the operation, we felt it to be incumbent upon us, so far as we could do it without offending against any one point of principle, to make that kind of proposal which would be likely to meet the views of the House at large, and insure the passing of the measure without painful or prolonged discussion. I know very well that my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) means to revive a question of principle on these grants altogether. I do not object to that course, which, I have no doubt, will be taken distinctly from the merits of the question, and I hope and believe, from the merits of the policy of which these distinguished gentlemen were agents; but if information just given to me implies the contrary, I must notice the subject a little more than in a parenthesis or a sentence. I feel the utmost confidence that my hon. Friend will not visit upon Lord Alcester and Lord Wolseley the pains of the policy for which the Government are responsible. Those are the leading considerations that induced us to change the form of these Bills. There is a certain amount of difficulty in changing the form of these Bills. The value of the annuity has, of course, reference in some not inconsiderable degree to the age of the persons receiving them. But if on any future occasion annuities in consequence of the precedent we are now likely to set are put out of the question, the probability is that the sums that may be voted will be granted without reference to age. But the House will observe that we had before us a case in which by proposing annuities the Government at least place themselves under a kind of honourable understanding with respect to the value of those annuities, and we have felt bound to have some regard to that in making this proposal in the form in which we now submit it to the House. That is the reason of the difference which appears in the sums named in the two Bills — £25,000 and £30,000 respectively. It is not possible for us to base upon any certain mathematical principle those precise figures. There are two elements, which are more or less of option than of discretion, that enter into the case. The first is this—that for annuities of this class it may be a question as to the rate of interest you are to take in computing the value. The difference is great according as you take a higher or a lower rate of interest. The Government are continually engaged in operations between annuities and lump sums, and I believe the usual assumption of the rate of interest on money is 5 per cent. Well, if that rate be adopted it gives a very considerable lower value for these annuities than if a lower rate of interest be taken. It may be that some, on the other hand, would take the rate of interest as low as 3 per cent. We have not taken either of these extremes, nor do we profess to be able to say there is absolutely any one figure by which we can work out any positive result in pounds, shillings, and pence, the question of the rate of interest being open to some argument; but, on the whole, we have thought if we considered 3½ per cent as the proper rate, that would be as near as we could go by way of approximation for these values. But there is another question, that the annuities purporting to be annuities for two lives—no second life in either case is in existence, but a second life is not an impossibility in either case —we could not entirely, we do not think we should be justified in entirely, excluding it from our view. We have, therefore, included a very small and moderate sum, representative in a general way of the second life; so that it is on the best computation we could form, in correspondence, in substance, with the original proposal, fairly and equitably—and, I was going to say, perhaps liberally, but not extravagantly, estimated—that we now ask the House to vote the two sums of £25,000 and £30,000 respectively. When we come to the annuity of Lord Wolseley I shall have a short explanation to make on the subject; but for the present I do not know that I need say more on the general grounds of the change we have made and the form we have given to these Bills. I do earnestly hope, Sir, that the great mass of the House will indicate to-day, as they indicated on a former occasion, their distinct desire and intention that an acknowledgment of this kind should be made. I think they will probably feel that we have not acted unwisely, considering the whole circumstances of the case, in the step we have taken in changing the form of the Bill, in reference to what we deemed the most becoming, and delicate, and graceful manner in which this offering could be made; and I think I am right in saying we have reason to believe the change of form would not be disagreeable to the two distinguished persons whose services we are now aiming to reward. I cannot, in the least degree, object to the raising of the question of principle, and the recording a vote upon it by those who think that any reward in such a case is open to just and fundamental objection; but I am sure that the opposition that may be made on those grounds will be made in the way that is most agreeable to justice and equity, and to a tolerable and even delicate consideration for the position in which these gentlemen are placed, for the great qualities they have respectively displayed, and for the fact that they cannot be in any degree responsible for any of the open or doubtful questions of policy, of administration, or of conduct that belong entirely to the action and to the responsibility of the Government at home. I beg to move, Sir, that you do now leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gladstone.*)

SIR WILFRID LAWSON, in moving that the House should resolve itself into Committee that day three months, said, he hoped he might very respectfully congratulate the Government on the change that had been made in this Bill. On both sides of the House it would, he thought, be regarded as satisfactory that the principle of hereditary pensions had now been eliminated from it. That step was not only in accordance with the general wish of the House, but also in accordance with the principles the right hon. Gentleman the Prime Minister had laid down in regard to financial matters. The right hon. Gentleman had often told them that each generation should pay its way as it went; and he (Sir Wilfrid Lawson) was strongly of opinion that each generation should certainly pay for its own crime and its own folly and its own deeds of military glory, which were generally a compound of crime and folly. In the words of the Secretary to the Treasury, it was much better for all of them that they should stew in their own juice. He hoped there would be no objection to his discussing the measure, as it was in reality a new Bill. The Bill was to make a grant to Lord Alcester in consideration of his eminent services. But, in his humble opinion, he had not performed services sufficiently eminent to warrant this House giving him £25,000 of the taxpayers' money. He was not going to say anything against Lord Alcester as a great Commander, gallant Admiral, and everything desirable in a British officer. He might be the bravest man that ever appeared in ancient or modern history; but then his opinion was that all Admirals and all Generals were brave. He never heard of one in this country who was not. [An hon. MEMBER: Blake!] It had always been a mystery to him what became of the inferior Admirals and Generals. Lord Alcester might not be inferior to any of the great warriors that had gone before him; but there was no evidence before the House or the country to show that he was superior in any particular way, or that he deserved this grant of public money. On the contrary, he (Sir Wilfred Lawson) went further, and said that he commenced hostilities unnecessarily when he had command of the British Fleet. The Prime Minister said, when he brought the Bill forward, that his great devotion and skill, combined with other great qualities, entitled him to their respectful gratitude. That was where he took issue with the right hon. Gentleman. There was no wonderful exhibition of valour in the bombardment of Alexandria. Lord Alcester did his duty as he was told to do it by the Goverment; he bombarded Alexandria. But he had an enormous Force, and there was no British Admiral who, with that stupendous Force, and with those tremendous engines, as the Prime Minister called them, at his command, would have not done exactly the same as he did. The Prime Minister, when he moved the first Bill, explained that one reason why Lord Alcester was to have these great rewards was because he did so well at Dulcigno. Very likely; but why did not the Prime Minister ask for the £25,000 then? Because at Dulcigno the Admiral avoided a war, while at Alexandria he got into one. If one was right the other was wrong. His theory about these wars was similar to those of the Chinese with regard to their doctors. The Chinese paid their doctors when they were well and mulcted them of their fees when they were ill, and so it should be with the Generals and Admirals. They should be paid when they kept out of war, and not when they went into it. Those people who went into war were failures. Governments that went into war were failures. The Liberals, who believed in peace—["Oh, oh!"]—who used to believe in peace—placed the Government in power in order to keep them out of war; and when they went into war, he did not care how many people they killed, or how many victories they gained, they were total failures for going into war. Unless it could be made out that the war was unavoidable, instead of being rewarded with public money Lord Alcester ought to receive public censure and condemnation. The Prime Minister had said that on the strengthening of the forts at Alexandria the action of Lord Alcester depended. But that was not the ground stated by Lord Alcester, as they were all aware. Besides, the Khedive had written to Lord Granville assuring him that the works had not been continued since they were suspended by order of the Sultan. Said Pasha said that the Khedive assured the Government that no further work was being carried out at the forts. If that was the case, and all he had to go upon was placing the two guns in position, the foreign Consuls were justified in saying that the Admiral was seeking a pretext for attacking the town. They had further evidence of that in the Papers presented to the House respecting the Palmer Expedition. Professor Palmer, who had left the Admiral some days before the bombardment, wrote from the Desert—

> "Of course I know nothing of what has been done in Egypt since I left, except that Alexandria was bombarded, as the Admiral told me it would be soon."

Indeed, his condemnation could be taken out of his own mouth, for he was always going about to dinners in the City, and other disreputable place. ["Oh, oh!"] Well, reputable places. He would withdraw the word "disreputable." At the Guildhall, he said—

> "I was told in distinct terms to do nothing until measures could be taken to remove the European population. The massacre at Alexandria took place on June 11. The last vessel containing refugees was towed out of the harbour at 4 p.m. on July 10, and we attacked the forts at 7 o'clock the next morning. So that there was no lack of promptitude in obtaining redress."

If this statement was correct, a more reprehensible act was never committed. In a speech in the House of Lords, Lord Granville admitted that the massacre of the 11th of June was not political, and was put down by the Egyptian troops, and he further stated that we had not demanded reparation for that massacre. If that were so, it was most reprehensible to bombard a town in order to avenge acts for which no reparation had even been asked. He asserted boldly that they had reason to believe that the riots for which Lord Alcester talked about getting redress were not caused by Arabi, or his partizans, but by the Khedive and his partizans. He made that statement boldly, and he had a precedent for doing so, because the right hon. Gentleman the President of the Local Government Board, a little more than 12 months ago, stated in the House that he feared it was too true that Arabi was the cause of those riots at Alexandria.

Sir CHARLES W. DILKE: What I said was that there was grave reason to suspect that that was the case. I distinctly stated that the matter had not been inquired into. Papers were afterwards laid before the House, and the House can draw its own conclusions.

Sir WILFRID LAWSON said, he would show the right hon. Gentleman his own speech, which he had circulated in pamphlet form among his constituents. All he said was that the right hon. Gentleman distinctly gave the House to understand that there could be very little doubt that Arabi was the guilty party. Inquiries were made at the instance of Lord Granville, and Sir Charles Rivers Wilson had stated that there was no grounds for believing in the complicity of Arabi; but, on the contrary, from the evidence adduced for the prosecution, a very good case might have been made for the defence; and he (Sir Wilfrid Lawson) stood up and accused the Khedive of being the guilty party, just as his right hon. Friend accused Arabi, but with this difference—that if he were proved to be wrong he would apologize to the House, which his right hon. Friend had not done. At the Royal Academy banquet, Lord Alcester said—

> "I wish to refute a statement which has been widely circulated. It has been said that the attack on the forts of Alexandria was in consequence of the massacre. Nothing can be more false."

This was the first time he ever heard of a man publicly accusing himself of falsehood, for the statement was made on Lord Alcester's own authority. Lord Alcester might be a man of very great qualities indeed; but he did not think a man who went up and down the country making statements like these had such qualities that they ought to give him £25,000 of the public money. Already he was in receipt of something like £2,000 a-year, which was pretty good pay. But, even if Lord Alcester was the bravest man, and the greatest Admiral, and the greatest after-dinner speaker that ever lived, he would object to this grant. It was all very well to get up and say—"Oh, why do you object to these poor men geting their money; they are only the instruments of a policy? Do not visit the sins of the Government upon them." But he did not hold with that. He said they could not separate these deeds and the doers of them from the policy under which these deeds were carried out. If they glorified deeds they glorified the policy which led to those deeds, and that was the way in which it was looked at by the country at large, in spite of their hair-splitting; and he was not prepared to glorify these deeds of blood. He was delighted to hear the Prime Minister at Stafford House quote the words of Garibaldi, in which he expressed his pain and horror that it should be necessary that one portion of mankind should be set aside to have for their profession the business of destroying the other. Let the Prime Minister withdraw this Bill, and do not let him come there and ask £25,000 to glorify this Profession, which was kept up for the purpose of destroying mankind. He did not want to deprive Lords Alcester and Wolseley of the tribute of affection which might be paid to them by those who approved of these warlike deeds. Let them have a penny subscription—a national subscription, headed by Tracy Turnerelli. [*Laughter.*] The House laughed; but he assured hon. Members that they would collect a large amount. Where was the hon. Member for Aylesbury (Mr. G. Russell), who wrote an article last week against the Whigs, and went into the Government this week? He said—

> "The Egyptian Campaign may, after all, do us no permanent injury, and for the moment it has done us unquestionable good. It has improved Mr. Gladstone's position with the timid and respectable, who, oddly enough, are usually the most bellicose, and it has made him for the moment popular with the London mob."

The London mob who, a few years ago, used to break his windows! The converted Jingoes, now his most devoted followers! Let them have this subscription. It would pay well. They would have Archbishops subscribing to it; his hon. Friend the President of the Peace Society would subscribe to it, and all the old women. The London mob would give their pennies. That was far better than coming to the House and calling on those who objected to these proceedings to pay their quota. He should take every opportunity of opposing the Bill, or any other of a similar nature, to show his detestation of the policy which led to these proceedings. He would conclude by quoting the words of the right hon. Gentleman, delivered three years ago when he was on the Mid Lothian campaign. They were noble words. They filled him with admiration at the time, and he adhered to them now. The present Prime Minister was condemning with that noble eloquence of which he was an unrivalled master attacks upon weak and helpless nationalities, and he said—

> "Before God and before man, we can assert, every one of us, that we have no share in these proceedings, and every man can exempt himself from any participation in acts which he regards as mischievous and ruinous, and should resolve that no trifling or secondary considerations will stand in our way in order to pursuade our countrymen to arrive at a proper estimate of a

policy so unhappy and so mischievous in its results."

Following the example set by the Prime Minister, he now took the step of opposing this Bill, which was nothing more or less than to glorify the policy which he then so ably condemned.

MR. ILLINGWORTH seconded the Motion.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Sir Wilfrid Lawson,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question.

LORD RANDOLPH CHURCHILL said, that when the Bill came before the House in another form he himself voted for it, because he looked upon it not as any particular compliment to Lord Alcester, but as a tribute rendered by Parliament to the British Navy. The House would recollect that the Chancellor of the Exchequer, who took part in the discussion, was quite unable to give any satisfactory explanation of Lord Alcester's speech. The statement of Lord Alcester that he bombarded Alexandria in consequence of the massacres he accepted as literally true, and as the blunt, outspoken words of an honest sailor, who was perfectly decided that, under no circumstances, should the truth be kept back from his countrymen. If those riots were the cause of the bombardment of Alexandria, and if for that bombardment the House was now asked to vote that sum, he really thought it became a serious question for them to consider whether it would be in accordance either with precedent or public policy to proceed hastily with the Bill? He acknowledged that Parliament had generally rewarded Generals and Admirals for pre-eminent services; but it took into account not only whether the services themselves were glorious, but whether the origin out of which those services arose was also glorious. His hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) had made an accusation, not without the most ample proof, against the Khedive of being the author of these massacres. If that were so, if the massacres were instigated by the Khedive's orders and carried on under his favour and toleration, and if the bombardment of Alexandria took place in consequence of those massacres, then he wanted the House to ask—"Is the origin of those services which are now under consideration so glorious as to allow the House to proceed further in this matter without more inquiry?" The Khedive, it must be recollected, was not only our ally but our puppet; he was absolutely and entirely in our hands and at our mercy. It seemed to him, then, that it was impossible for Her Majesty's Government for a very long time back to escape the responsibility of any of the acts of the Khedive; and, more than that, if there was one intimate confident and friend of the Khedive during the progress of these matters it was the Consul General at Cairo, Sir Edward Malet, who, as they knew, was one of the most capable men in the Diplomatic Service, and they knew further that a capable diplomatist engaged in the East would always be aware of everything that was going on and immediately contemplated by the ruling Powers. They were thus put in a rather curious position, if these premises were accepted. He believed it could be proved that the massacre at Alexandria was the work of the Khedive. He believed it as strongly as his hon. Friend (Sir Wilfrid Lawson) did, and that belief rested on *primiâ facie* grounds in the proceedings connected with the trial of Arabi Pasha. If the proceedings against that man had been carried out to the extreme length, much of the evidence might have led them to form a widely different opinion of the merits of the proposal now before the House. He had reason to believe that when Lord Dufferin arrived at Cairo this evidence was laid before him, and he asked whether it could be proved in a Court of Law or satisfactorily to the Government? The reply was that if Lord Dufferin would give safe conduct and a pledge of British protection to any witnesses who might come forward to prove the truth of these charges such witnesses would be forthcoming; and so alarmed was Lord Dufferin at the case laid before him, so grea twere the names involved in this most dark intrigue, that Lord Dufferin shrank from giving that safe conduct, and declined to take the responsibility upon himself. He (Lord Randolph Churchill) was not going to prejudice the case of the National Party in Egypt, of Arabi and his fellow-exiles, or of the unfortunate Suleiman Sami, now under sentence of death, by putting in what documents and evidence he possessed; but he was prepared to make—and honestly believed he could substantiate—this charge—that the author of the massacres at Alexandria was the Khedive of Egypt, our puppet and ally. On the 3rd of June, after the arrival of Dervish Pasha, the Sultan's Envoy in Egypt, it was apparently necessary that the Khedive should be able to show a case against Arabi Pasha, and prejudice him in the eyes of the Foreign Powers, and he sent the following telegram in cypher to Omar Lufti, the Governor of Alexandria:—

> "Arabi has guaranteed public safety, and published it in the newspapers, and has made himself responsible for the consequences. If he succeeds in his guarantee the Powers will trust him, and our considerations will be gone. The Fleets of the Powers are in Alexandrian waters, men's minds are excited, and quarrels are not far off between Europeans and Arabs. Now, therefore, choose for yourself whether you will serve Arabi in his guarantee, or whether you will serve us."

Again, some days before the riots the Khedive sent his cousin to Alexandria, receiving him secretly each time before and after his return, and on the day of the riots his cousin and his confident were in the city. On the 9th of June, two days before the riots, and six days after the telegram to which he had referred, the Khedive, after consultation with Dervish Pacha, sent for Omar Lufti by special train, and after conferring with him at great length sent him back to Alexandria on the same day. Moreover, he sent for Ahmed Khandeel, the Prefect of Police, and sounded him as to whether he would be instrumental in instigating the riots in Alexandria. As the House was aware, Ahmed Khandeel had been tried on a charge of being concerned in the riot, but no one had been allowed to go near him; whereas Omar Lufti, who was Governor of Alexandria during the riots, had been rewarded for his distinguished services at that time—Omar Lufti, under whom alone the whole police of Alexandria was placed. There were other facts all tending in the same direction and constituting a long chain of circumstantial evidence connecting the Khedive, as it appeared to him, directly with the massacre of his own subjects at Alexandria. He did not think the Prime Minister was inclined to treat this matter lightly. On the contrary, he thought the right hon. Gentleman would be inclined, for the credit of his own Government and from his own sense of justice—such a charge having been made on both sides of the House, and an assurance having been given that the charge could be substantiated before a proper tribunal—to direct a Parliamentary Inquiry to be made into the subject, or an inquiry conducted by Englishmen in order to see whether the charge was false or well-founded. In his opinion, after the statements that had been made on both sides of the House, it was absolutely necessary that some such inquiry should take place. He was bound to say himself, holding the opinions he did with respect to these riots, and this bombardment of Alexandria, he did not at all see his way towards contributing to giving the sanction of Parliament—for the matter involved no personal question about Lord Alcester—to a military act the origin of which, instead of being glorious, was simply disgraceful. Under these circumstances, and voting only for the purpose of delay until these matters were cleared up, he could not oppose the Motion of the hon. Baronet.

COLONEL NORTH said, he thought they had come there to discuss the Vote to Lord Alcester; but it appeared they had been brought together to make an attack on the Egyptian policy of Her Majesty's Government. The hon. Member for Carlisle had stated that Lord Alcester received a large sum already from the country. He received £1,000 a-year as a Lord of the Admiralty, for which he performed the duties attached to that office, and the half-pay of his rank—the same as all other naval officers In former times these occasions were considered gala days, and in discussing Votes of this kind the House never interfered with the political question, but confined itself to the approval of the services of the officers; but he was bound to say that an unfortunate precedent had been afforded for the course now taken by the proceedings with reference to the grant to that gallant officer, Sir Frederick Roberts, who had been very shabbily treated. This was, in his humble opinion, a most painful exhibition, as everyone must have known that Lord Alcester positively declined the Peerage, and it was absolutely forced upon him——

Sir WILFRID LAWSON: I never alluded to the Peerage.

Colonel NORTH said, but he was alluding to it. When, three centuries ago, Shakespeare wrote the play of the Merchant of Venice, he little thought his imaginary character of Shylock would become a reality; and they had the pound-of-flesh principle in full play in 1883. He believed the great Napoleon was correct when he said this was a nation of shopkeepers, for here an actuary had been called in to assess the rewards to be given to men for upholding the honour of their country—men who had carried their lives in their hands over and over again. This was nothing but a miserable mercantile transaction. Lord Alcester was to receive £5,000 less than Lord Wolseley, not because his services were less distinguished, but because he happened to have been born a few years before the other. The House would remember the testimony the Prime Minister bore on a former occasion to Lord Alcester's services, not only before Alexandria, but throughout his Mediterranean command; and he therefore hoped that the House would insist on the same reward being given to him as to Lord Wolseley. He did hope that the House would insist on rewarding both officers equally for the distinguished services they had rendered.

Mr. JOSEPH COWEN said, he agreed with the hon. and gallant Member for Oxfordshire, that the discussion was not as to the policy of the war in Egypt, but as to the desirability or undesirability of rewarding the Commanders. The statements that the noble Lord the Member for Woodstock had submitted to the House were highly important. They deserved the grave consideration of the Government and of the country. With some of his comments he entirely sympathized; but he must confess that he did not see the relevancy of his remarks to the matter then under debate. The question he had raised would have to be discussed. To raise it in that way and upon a side issue was inconvenient to all parties. The few observations he intended to make he should endeavour to confine to the Bill under consideration. It was difficult for him to follow his hon. Friend the Member for Carlisle in a debate concerning the exercise of Military and Naval powers. They started from different premises, and necessarily arrived at opposite conclusions. From the drift of his speech that day, and from many other deliverances he had made in the House and elsewhere, it was known to all that his hon. Friend would not, under any circumstances, resort to war. He would allow the marauders of the world to pursue their career of crime and conquest unchecked. Rather than run the risk of a war, he would have them retreat from India, abandon their Colonies, disband their Army, and make England a focus of materialism and trade. Driven to its logical conclusion, this doctrine was the deification of comfort rather than duty. It was simple, but it was selfish. It certainly could not be called elevating, and might be described as cowardly. He (Mr. Cowen) held an entirely different faith. He believed England, as a nation, had a duty to perform, from which it was impossible to divorce herself—not only to her own people, but to the great family of nations of which she was one. War was a dreadful thing; but there were calamities even greater than that. There were times when it was not only desirable but necessary that an appeal should be made to it, both in the interests of freedom and of justice. He would not say the Egyptian War was a case in point. [Sir Wilfrid Lawson: Hear, hear!] With respect to the policy which led to that campaign, he was more or less in accord with his hon. Friend. But that was not the point they had met to consider. They were not responsible for the war. The English people were. If ever there was a popular campaign, that in Egypt certainly was one. It was opposed by a handful of persons, and those persons were as insignificant in numbers as in influence. He and his hon. Friend the Member for Carlisle were amongst them. But the people having gone into the war, and done so with their eyes open, they should pay for it. They had got the glory, and they should pay for the gunpowder. They had it on high authority that the labourer was worthy of his hire. Lord Alcester was a national labourer. They had hired him to do a certain work. He had done it well, and they should recompense him. Lord Alcester was not responsible for the course of events, or for the line of policy that led up to the war. It was a most undesirable thing, both for the National Service and for the nation at large, to act unfairly and ungenerously with Commanders who had successfully carried out the popular desire under trying circumstances. It was especially undesirable for that to be done under cover of public sanction. His hon. Friend had said he was a Liberal. He (Mr. Cowen) held Democratic principles, and he was prepared to maintain their justice and wisdom. But he could not shut his eyes to the fact that Democracies had their vices as well as their virtues. Democracies were sometimes personal and mean. The opposition to this grant he regarded as personal. He did not know Lord Alcester; but he knew that he had laboured long and ably and faithfully for the State. He had grown grey in the country's service, and age and service ought to earn for any man consideration and regard. An old official ought to have special consideration when he was absent. Lord Alcester was absent. It was impossible for him to reply to charges that were made against him, or to comments that were offered on his conduct. That fact ought to restrain his critics. To import personal bitterness into such a discussion would be most injurious, and he could not help thinking that some of the remarks that had been made bore that character. Democracies, he said, were sometimes mean. They paid their servants inadequately, and higgled over trifles. That had been the case from the earliest to the present time. There were instances of it in Greece, and they had an instance of it in the most successful of modern Democratic experiments. In America —where there was the most powerful Democracy in the world—there was anything but liberality shown in the payment of public men. ["Question!"] Surely the hon. Gentlemen who cried "Question!" had a very extraordinary conception of the rules of discussion. It was impossible to suggest anything more pertinent than the observations he had made to the subject under debate. He was contending that Democracies did not treat their servants as generously as they might do; and he was illustrating his point by reference to the Democratic Government of the United States, and he would continue his observations. The inadequate remuneration that the officials in America got led them into corrupt practices. The political corruption of the Republic was eating into its very vitals. ["No, no!"] The hon. Gentleman who cried "No, no!" was contesting a statement the historical accuracy of which every man acquainted with current politics must concede. He would cite an instance to illustrate his point. A gentleman in America—who had served his political Party and had been engaged in the War—failed to get an appointment that he competed for. This was looked upon as a loss to him. The loss was made up by his brother getting a contract for soldiers' gravestones. In other words, instead of paying the man straight and openly for the work he had done, they paid him in a left-handed manner by allowing a relative to get a contract at prices far beyond the value of the article supplied. The course they pursued in this country was vastly superior. The Government proposed, as in this instance, that a Commander should be rewarded for his services by a grant of public money, made in the most open manner. They did not propose to give either Lord Alcester or his relatives a beneficial contract for naval stores. With all the drawbacks of the English Service, with all their national sins of omission and commission—which he never hesitated to condemn when occasion seemed to require it—he confessed he was proud of the character of their Public Service and the absence from it of all petty corruption. He hoped they would long continue in dealing with their officials to observe an impersonal and generous treatment. Attempts had been made to disparage the Naval and Military operations in Egypt. He was not there to contend that the seven weeks' campaign that closed at Tel-el-Kebir could be compared with the seven weeks' war that closed at Solferino, or the six weeks' war that closed at Sadowa. The forces employed, and the skill displayed in these two great military encounters was vastly superior to that displayed in Egypt. Everyone must admit that. But, still, the Egyptian enterprize had special features of its own which deserved commendation. The incessant desire on the part of Englishmen to disparage their own country and their own Army was not a wholesome state of feeling. Let them just look at the facts. The scene of our operations was 3,000 miles away. We concentrated on that spot 400,000 tons of war material; 44,000 or 45,000 men—combatants and non-combatants—and 18,000 animals. It took 200 ships to transport them. They were taken there, and the campaign was fought in 48 days from the time the money was granted. And in a month afterwards a large proportion of the men were back to England. He would undertake to say that no country in the world could have done that save England. Let them compare it with what other nations had done, and that recently. Austria and France were a great Military Powers, and they had both been engaged in military operations akin to ours in Egypt. The Austrians occupied Bosnia and Herzegovina. They had not to convey their troops 3,000 miles, as we had to do, but they had simply to march them across an undefined border. Yet before the Austrian Commander could hoist the standard of the Hapsburghs upon the fortress of Serajevo he had lost 5,000 men, and spent twice as much money as we had done in Egypt. Take the case of France and Tunis. The French ports wers not one-third the distance from Tunis that Alexandria was from the English Channel. The Tunisian people were of the same race and religion as the Egyptians, and the conditions of the two campaigns were very similar. And yet the French had occupied more than double the time, and spent more than double the money, in their Tunisian adventure than we had done in Egypt. It was quite possible for the stoutest opponent of the war in Egypt to recognize these facts. It was also possible for the most persistent advocate of peace to appreciate the military prowess and skill requisite for the conveyance of this fighting material to the spot required. That was all that he did. He objected to the Ministerial proposal when it first appeared before the House, because it perpetuated the objectionable system of pensions. The Government, in deference to the wish of Parliament—and he believed also the wish of the country—had altered their mode of remunerating the Commanders, and, instead of granting them a pension, had resolved to give them a round sum. With that change of procedure he entirely agreed, and as he had opposed the pensions, he would support the grant. He appealed to hon. Gentlemen, as the money was ultimately sure to be awarded, to vote it generously and cheerfully. If they wrangled over it, the gift would be shorn of one-half of its value.

Mr. O'CONNOR POWER said, he had often had the advantage of hearing his hon. Friend (Mr. Cowen) address the House on questions of public importance; but he had never been able to understand his position on the foreign policy of this Empire. Although he had always felt the influence of the hon. Gentleman's oratory, he could not reconcile the doctrine which he had propounded in reference to the foreign policy of this House and this country with the sentiments which he knew him to entertain on the question of nationalities. He should be very sorry to think that his hon. Friend, who expressed so much of the popular opinion in the North of England on other questions, represented any large body in the sentiments he had just expressed. His hon. Friend promised, in the early part of his speech, to address himself to the Question before the House; and he (Mr. O'Connor Power) naturally expected that he would give some sketch of the share which Lord Alcester had either in promoting the Egyptian War or in initiating those hostile proceedings which had led to the war. But the hon. Gentleman had spoken entirely of the military part of the Expedition. That would have been very well if they were now discussing the grant to Lord Wolseley; but even in that case it would have been very difficult for the hon. Gentleman to have proved that success, in a military capacity, was always a test of merit. Undoubtedly, as the hon. Member had said, England owed great duties to the world. She had voluntarily assumed immense responsibility; but he asked his hon. Friend, could he point to the late Expedition to Egypt as an incident in the history of this Empire by which England had set any high example to the world? What principle of liberty, what principle of honour, what principle of International Law had been established by that Expedition? If his hon. Friend could tell him that, then he might begin to feel with his hon. Friend that England performed some great duty to the world when it sanctioned the bombardment of the forts of Alexandria and sent its soldiers to carry desolation over the fair and fertile land of Egypt. The hon. Member argued, indeed, that the naval forces and soldiers were not responsible for the war, but that it was a war of the English people. He denied that entirely. No one had watched the proceedings of the House in foreign affairs more closely than his hon. Friend; and he knew very well—indeed, it had been a matter of complaint over and over again—that the Members of that House were not supplied with the requisite information on foreign affairs; and when the interests of the country were at stake an appeal was made to their patriotism to prevent their pressing for it, and, consequently, nothing was known until the Government were embarked in hostilities in which they had been involved by their Representatives abroad. As one who had given some attention to the history of the great Democracy of the United States, he would take issue with the hon. Gentleman on the view represented by him of that mighty people. The hon. Gentleman said the chief cause of political corruption in the United States was that its public servants were very poorly rewarded. He denied that statement as a matter of fact. It was true that half-a-dozen heads of a Department might not be paid as well as corresponding public servants in England. But they should take the Public Service as a whole, and, viewed in that way, he asserted there was no Government who rewarded its public servants so handsomely as the United States Government. He hoped the hon. Baronet the Member for Carlisle would press his Amendment, because he believed Lord Alcester was largely responsible for the Egyptian War. They had had different accounts of the origin of that war, not only from Members of the Government, but also from Lord Alcester himself. At the Mansion House he stated the reason for it to have been the massacre of British subjects. Afterwards he qualified that statement, and based it on the ground that the Fleet was in danger. He thought the House had the means of forming an opinion upon the value of those excuses, and he defied any hon. Member to go through the documents, and afterwards to say that the British Fleet was ever in danger. If all the old metal in Alexandria had been melted down and cast into guns, and placed in position against the Fleet, it would not even then be true to say that the British Fleet would have been in any appreciable danger. Besides, the forts did not go to the Fleet, the Fleet went to the forts; and, therefore, the Fleet might at any time have placed itself out of danger by a modest retirement. The spirit which actuated Lord Alcester ought not to be encouraged. He did not allege that of set purpose and malice aforethought Lord Alcester provoked war; but the spirit which actuated men like him was not favourable to peace. He never received a greater shock to all his notions of political honour and political consistency than he did when it came to his knowledge that the Government were contemplating this war; and when the right hon. Gentleman the Prime Minister, whose eloquence in the last Parliament he hung upon, and whose invocations of the spirit of liberty were sufficient almost to animate a stone, rose in his place to justify the bombardment of the forts of Alexandria, he felt then that the time had gone by for expecting the adhesion of politicians in this country to their principles if they were transferred from the cool shades of Opposition to what, he was sorry to say, was sometimes found to be, not only the warm, but the demoralizing precincts of the Treasury Bench. Arabi Pasha was held up by the right hon. Gentleman as the great disturber of the peace in Egypt; yet one of the most eminent public servants of this country in Egypt had written to a distinguished public man in London, who was well known to many men in the House, saying—"I believe Arabi was a patriot from beginning to end." What became, then, of the justification taken for commencing the war? Because Arabi Pasha was threatening the peace of Egypt. He was a patriot in this sense—that he was impatient of foreign control over the affairs of his own country; and, unless for the purpose of enabling some reckless speculators in this country to obtain their money, he was at a loss to see in whose interest the war was undertaken. The people of England had no concern in that war. Gracious Heavens! Did they forget the promises they had made at the last General Election? Were they true to the principles they then avowed upon the hustings, or had they turned their back upon those principles and adopted the principles of their political opponents, which they were never tired of denouncing? So far as he was concerned, he would not compromise the opinions he had always held on questions of this kind; for he did not believe that England was performing any great duty to the world by setting an example of grave violation of International Law and public principle by invading a peaceful and independent country. If the hon. Member for Newcastle wished for an illustration of the way in which the honour of England was maintained and increased, he would point to the action of the right hon. Member for North Devon (Sir Stafford Northcote), who concluded the Geneva Convention, and to the settlement of the "Alabama" Claims. Those acts had done more to set a high example to the world than any efforts of soldiers and sailors to place a yoke upon the necks of nations intended by God to be as free as themselves.

Sir STAFFORD NORTHCOTE: Before the right hon. Gentleman the Prime Minister rises I wish to say a few words, and I do so for this reason —that I wish to express my extreme regret at the course which has been taken by the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and the noble Lord the Member for Woodstock (Lord Randolph Churchill) on the present occasion. I think by the course which they have taken we have been placed in a thoroughly false position. They have raised a question, the importance of which I do not deny, in a manner in which it cannot be properly solved, and the solution of which, when it arrives, will be a false and delusive solution. I agree with my hon. and gallant Friend (Colonel North) that at present we have nothing to do with the policy of the Egyptian War, because that question is not properly raised by the vote we are asked to give. So far as the policy of that war is concerned, I have, on more than one occasion, both in and out of the House, expressed my dissatisfaction with regard to the commencement and termination of that war, and the policy which led to it. I have maintained, and I hope at the proper time to be prepared again to maintain, that the war was unnecessary, and therefore was not strictly justifiable. That is a question which the House has had before it even in the present Session, and, by a majority on an important occasion in the debate on the Address to the Crown, a vote was given antagonistic to the views which I have held, and which others have held with me. But if we are asked to accept the vote on the present occasion as a vote— "aye" or "no"—upon the policy of the Egyptian War, I say that you are placing those who object to the Egyptian War in a false and improper position. If I vote, as I intend to vote, in support of this reward to Lord Alcester and Lord Wolseley, am I, therefore, to be accused of approving a contest which I have repeatedly said I disapproved? No; I think that is altogether a false position for us to be placed in. And I say also, with regard to the question which is now raised, that it is one which the House has, to a great extent, precluded itself from dealing with by the action already taken. In October last we passed Votes of Thanks to Sir Beauchamp Seymour, as he then was, and Sir Garnet Wolseley, one of which was carried *nemine contradicente,* and the other with only a very trifling minority against it, and we declared that, so far as those gallant officers were concerned, they, at all events, had done their duty, and had done it well, and in a manner which deserved the thanks of the House. That was a decision to which the House came, irrespective of the policy of the Egyptian War; and I think it would be placing ourselves in an altogether false position, and would seem to imply a shabby feeling on the part of this House, if, now that we are asked to follow up those Votes of Thanks with an acknowledgment of a substantial character, we were to say that we decline to do so on the ground that we do not approve of the war in which those gentlemen were engaged. If that was your feeling you ought to have refused the Vote of Thanks in October last. You have altogether missed the opportunity which was offered to you. I find some fault that the Government have not taken an earlier opportunity, when this matter was before us in October, for having completed that which they propose. That was the proper time, it seems to me, for that question to have been brought forward; and

I think that the long interval which they have allowed to elapse, involving, as it necessarily does, a great deal of further light upon Egyptian matters which we had not before us at the time, has not unnaturally led to a great deal of discussion now. [Sir WILFRID LAWSON: Hear!] The hon. Baronet cheers that remarks. If he means to say that we ought to raise the question of the policy of the Government, either past or recent, I think he has a right to raise that question, but not on the present occasion, when you have to decide whether you will or will not pay that tribute to your soldiers and your sailors which it has been the practice of Parliament in former times to pay, and which I think, in the present instance, you have pledged yourself to do by the Votes which you passed in October, and by the recognition of the services of those gallant officers which you have already made. Sir, I decline altogether to be led into a discussion of all those topics which have been brought forward by the hon. Baronet and by the noble Lord. [Lord RANDOLPH CHURCHILL: Hear, hear!] I decline to be led by the noble Lord, and I trust that the House will decline to be induced by the noble Lord, to accept a position which I consider would be degrading to its honour.

MR. GLADSTONE: It is due, I think, to the right hon. Gentleman who has just sat down that I should reply to the criticism which he has made upon the conduct of the Goverment in respect of their not having submitted to the House legislation for the purpose of rewarding Lord Alcester and Lord Wolseley at the same time when we moved the Votes of Thanks to those gallant officers. I do not deny that there is something to be said on behalf of that criticism. I can only say that we should certainly have done it had we been engaged in the ordinary Business of the Session. But we had met under circumstances the most peculiar, and I own I had obtained an engagement from the House that Business, with the exception of Procedure, should be excluded. We felt that the Votes of Thanks might fairly be treated as an exception, and we did not think we could ask the House to undertake legislation, even for the purpose of giving this reward. Whether we are right or not I admit to be open to discussion; but I think it will be plain that there was some ground, at all events, for inducing us to take the course which, I agree with the right hon. Gentleman, has not been convenient in its results. I thank the right hon. Baronet, not for having vindicated—as he was entitled to do—his own position, and shown how very false a position he was placed in in relation to the war by having the policy of the war mixed up in this debate, but for having called the attention of the House to the enormously wide field over which this debate threatens to travel. The hon. Member for Newcastle (Mr. Cowen) vindicated himself in what I think a very able speech, with a feeling extremely considerate, which, in my opinion, ought to lie at the root of the whole of this discussion, towards the distinguished gentlemen who are the subjects of these Bills. I say nothing can be more hard or more cruel to them than that Bills, for the purpose of expresssing the sense the House entertains, and has expressed by the Votes of Thanks to Lord Alcester and Lord Wolseley, should be laden with discussions upon every kind of statement, some true, but irrelevant, some of them without the slightest shadow of evidence to support them, and that, upon the whole, the country should understand that these grants for their services, instead of being free, willing, eager recognitions of most honourable exertions on behalf of the country, are matters debated and contested among us with those differences of opinion which go far to destroy the grace of the acknowledgment. But do not let me be misunderstood when I undertake respectfully to say that if Lord Alcester lose and Lord Wolseley lose by this indefinite extension of the field of discussion, and by this introduction of topics wholly irrelevant and disconnected with the merits of the question before us—if those distinguished gentlemen are losers, the House is a greater loser by allowing the discussion so to wander from its aim, and by the failure which it shows in that discriminating power so necessary to a deliberative Assembly, which severs between the topics that are relevant to the questions raised for settlement before it, and the topics which are irrelevant. I do hope I may assume that we have substantially arrived at the close of these portions of the discussion; and on that account, lest I should seem to give colour or handle for renewing it, I will pass over some of the most astounding assertions that I have ever heard in this House, which were to be found in the speech of the hon. Member for Mayo (Mr. O'Connor Power), and I will not undertake to reply to them from the demoralizing precincts of the Treasury Bench, which he has described to us. But there are two matters upon which it is right I should say a word. One of them constituted the substance of the speech of the noble Lord (Lord Randolph Churchill), entirely, as it appeared to me, irrelevant to the issue now before the House, but still of a character which it would be impossible for the Government not to notice. The noble Lord contrived, by a process apparently satisfactory to himself, to connect a statement which he made as to the complicity of the Khedive in the massacre of Alexandria——

LORD RANDOLPH CHURCHILL: I did not say "the complicity"—I said "the authorship of the Khedive."

MR. GLADSTONE: I called it complicity, but I will not dispute it—the authorship of the Khedive of these massacres. The noble Lord contrived to connect the authorship of the Khedive of the massacres of Alexandria with the refusal to Lord Alcester of the reward due, as we think, to his services. How did the noble Lord establish that connection? I will speak of the Khedive in a moment; but I am now going to say a word about another gentleman, who, in the Civil Service, has rendered admirable service to his country—I mean Sir Edward Malet. The noble Lord said the Khedive was a puppet of the English Government, and that he was in the most intimate connection and communication with Sir Edward Malet. No man who reads the speech of the noble Lord will fail to see that not by direct assertion, but by innuendo, it establishes—or affects to establish—a connection between Sir Edward Malet and the massacres of Alexandria — a statement, I have no doubt, astonishing to the House, if, indeed, we are to believe that the noble Lord allows to dwell in his mind for one instant the belief or suspicion of the remotest possibility of connection between Her Majesty's Diplomatic Representative and honoured servant and the massacres in Alexandria.

LORD RANDOLPH CHURCHILL: I did not say anything of the kind.

MR. GLADSTONE: Well, Sir, I am very glad the noble Lord never said it, and I hope he never thought it; but he was most unfortunate in the introduction of the name of Sir Edward Malet in connection with that part of the discussion. However, the noble Lord in a manner disavows it. The thing is confuted, I must say, by its own absurdity. But, independently of that, it was the duty of the Government not to allow such an insinuation as that to pass in silence. Now, Sir, with respect to Lord Dufferin's proceedings and to Lord Dufferin's policy, and the presumption that grew out of them, I have had an opportunity of consulting Lord Dufferin, even since the speech of the noble Lord. It is not for me to assert negatives against broad statements confidently made; but, so far as Lord Dufferin's recollection and knowledge go, he entirely declines to recognize any jot or tittle of the statements of the noble Lord as entitled in the slightest degree to credence. Of course, the noble Lord will not understand me that I am ascribing to him falsification of statements. Nothing of the kind. But the statements the noble Lord gave us, on the assurance of others, are, in the opinion of Lord Dufferin, wholly without foundation.

LORD RANDOLPH CHURCHILL: Which statements?

MR. GLADSTONE: The statements in which the name and proceedings of Lord Dufferin were involved. Now we come to the question of the Khedive; and here I have to say that what the noble Lord has asserted is entirely at variance with all the evidence and all knowledge and information in the possession of the Government. It is, I think, a cruel blow to a Ruler in circumstances of difficulty. It is not so common in the East to find Sovereigns who, renouncing the methods of violence and oppression, endeavour to govern their country with humanity, benevolence, and good faith, as to make it a matter of indifference to us when we see such men, as we think, so needlessly and so cruelly aspersed. This, Sir, is a tremendous charge that has been made by the noble Lord. It is not for me to say that the charge is false, is untrue; while I state distinctly that it is in contradiction with all the knowledge we possess, and with the fervent conviction which we entertain. Less than that I cannot say, in justice and in decency, as respects the present Ruler in Egypt; but this it is my duty to say, on the other hand. The noble Lord has undertaken the great responsibility of bringing these accusations not to the Government, whose duty it would have been at once to make them the subject of the very best inquiry they could——

LORD RANDOLPH CHURCHILL: I beg the Prime Minister's pardon. I stated before Whitsuntide very much what I have now stated, and the Government ought to have made inquiry then.

MR. GLADSTONE: The speech before Whitsuntide! But I must say that I recognized nothing in the speech upon which we could make inquiry.

LORD RANDOLPH CHURCHILL: I said the same thing then as I have said to-day.

MR. GLADSTONE: Yes, the same allegation; but in terms so wide, so vague, so destitute of verifying points on which it might have been tested, and of which the untruth might have been shown, that it was utterly impossible for any Government in its senses to take any proceedings upon it. Yes, Sir; because there is nothing so easy as to make the wildest and most extravagant allegations, provided you make them in a form sufficiently general and free from particulars that it is hardly possible for them to be confuted. The noble Lord has given us citations of what purported to be telegrams. Into the truth or falsehood of things we can inquire. They have been stated here by a Member of this House, and that makes it our duty to inquire into them.

SIR WILFRID LAWSON: I stated them also.

MR. GLADSTONE: The statement of my hon. Friend was exactly the same as that made before Whitsuntide by the noble Lord—perfectly valueless—a kind of accusation which, if I were to make against him, or he to make against me, it would be totally impossible, from its vague, shadowy character, to verify.

SIR WILFRID LAWSON: I do not remember saying anything about Sir Edward Malet.

MR. GLADSTONE: No, no; the statement of my hon. Friend after Whitsuntide I am endeavouring to compare with the statement of the noble Lord before Whitsuntide. Therefore, the noble Lord will be good enough not to depend on newspaper reports, but to place before us those matters of fact which can be stated as matters of fact.

LORD RANDOLPH CHURCHILL: I could not think of placing the details of a case on which might hang tremendous issues in the hands of the Government, unless they give me a guarantee before Parliament that they will enable the witness to be brought to this country, and be examined by a tribunal which I would cheerfully leave in the hands of the Government to appoint, in order that the public may judge the truth of their allegations.

MR. GLADSTONE: The noble Lord must know that it is perfectly impossible for me, in the present state of the matter, to go beyond acknowledging the duty of the Government to examine any definite matters of charge which he may think proper to place in our hands.

LORD RANDOLPH CHURCHILL: You have other means in your power.

MR. GLADSTONE: If he thinks fit to do that, we shall make the best examination in our power; and if he is not satisfied with the method of examination, it will be in his power, and in his right and his duty, to arraign our conduct. I am bound to admit that, on one point, there was a flicker of relevancy in the speech of the hon. Member for Carlisle, and it was very nearly the only point with the slightest approach to relevancy that I have heard to-day, in objection to the present Bill. It was a statement which he ascribed to Lord Alcester, that the bombardment of Alexandria had been a punishment exacted for the massacres of the 11th of June. My hon. Friend said Lord Alcester is a great diner out, and that in dining out Lord Alcester declared that he had bombarded Alexandria to avenge these massacres. Lord Alcester, on a subsequent day, declared that he had not; and my hon. Friend treats these two contradictory statements as both made by Lord Alcester, and coolly argues upon them against the present grant. What Lord Alcester did was this. In a speech made at the dinner of the Royal Academy, of the authenticity of the report of which, I believe, there is no doubt, he referred to a rumour which he said, to his astonishment, had gone abroad, ascribing to him the statement that the bombardment of Alexandria was a punishment or revenge for the massacres of the 11th of June. He indignantly disclaimed that statement in the speech quoted by my hon. Friend. But that declaration of Lord Alcester cannot be taken in any sense but one. It was a disavowal, and an indignant disavowal, of the statement which had been previously imputed to him.

Sir WILFRID LAWSON: A disavowal of his own statement.

Mr. GLADSTONE: His own statement! Can anything be more monstrous?

Sir WILFRID LAWSON: No.

Mr. GLADSTONE: No; because such a construction is put upon certain unauthorized words—[Mr. Biggar: Not unauthorized.]—ascribed in the accident of a newspaper report to Lord Alcester, therefore my hon. Friend, without making any inquiry, and without ascertaining whether the report is acknowledged by Lord Alcester, when he finds a distinct and absolute repudiation of the substance of the report in a speech delivered shortly afterwards, instead of giving Lord Alcester credit for that which, as a rational man, he is entitled to claim from every candid person—namely, that his disavowal was a true disavowal, my hon. Friend charges upon him these two contradictory statements. I admit that if Lord Alcester had bombarded Alexandria in revenge for the massacres, he would be open to the censure of my hon. Friend; but while these charges have been applicable in other times and other circumstances—sometimes, perhaps, to our Commanders, but more frequently, I am afraid, to some of our Civilian Representatives abroad—as regards Lord Alcester, I say, on the faith and the credit of the Government, there is not one grain, one shadow, one tittle of ground, for any of these imputations. The responsibility of adopting warlike operations was entirely the responsibility of the Government; and we have to thank Lord Alcester for having kept us so well informed from day to day with information so thoroughly trustworthy, accurate, and relevant, that we were able, under the difficulties of that period—and they were not slight—confidently to form our decisions on what the honour of the country required. Lord Alcester was no more than the intelligent Minister of the Government, for the purpose of supplying them with information, and the able instrument of giving effect to a policy which, I believe, Parliament and the nation, as well as the Government, approved. Setting aside that statement injuriously applied to Lord Alcester, the only possible ground of relevant objection to this Bill, I hope we shall consent to make an effectual severance between the responsibility of the Government for the conception and inception of these measures, and the admirable skill, courage, and intelligence with which effect was given to that policy through the medium of Lord Alcester and Lord Wolseley.

Mr. GORST said, he thought that the statement detrimental to his noble Friend made by the Leader of the Opposition would have been more properly made by the Prime Minister. Whatever might be the character of the Parliamentary conduct of his noble Friend, it would be better if the Leader of the Party, of which he was so distinguished an ornament, would leave it to the opponents of the noble Lord to question an error, rather than do so himself. The right hon. Gentleman did his utmost to encourage the Government to pass over in silence the allegations and accusations of the noble Lord; and if the Prime Minister had followed the lead of the Leader of the Opposition he might have refused to take any notice of the noble Lord's remarks. He (Mr. Gorst) did not pretend that the important accusation made by his noble Friend was strictly relevant to the matter before the House; but no one knew better than the right hon. Member for North Devon that Members in Opposition—particularly if they sat below the Gangway—must seize upon every opportunity they could get of bringing any important matter before the House; and it was not easy, when they felt that their duty towards their constituencies and their country required it, to do so, for it was very little assistance they obtained from the Front Opposition Bench. The statements of the noble Lord had been treated in a very different manner by the Prime Minister. He (Mr. Gorst), for one, had been so struck with the arguments of the right hon. Gentleman, that he intended to vote for going into Committee on the Bill, though he was deeply impressed by the statements of the noble Lord. He might observe that Lord Dufferin did not venture to say that he did not reject the evidence in the manner described by the noble Lord. Lord Dufferin only said that—

> "So far as he could recollect, no such event took place; but he would not venture to say that there were not serious matters brought under consideration, so serious that he declined to go further into them."

But, whatever might be said of the position of the Khedive before the war, he was, at the present moment, absolutely in the hands of Her Majesty's Government. His rule over Egypt, whether it was of the kind that had been described, or whether it was misrule, was kept up entirely by British bayonets. Her Majesty's Government were considered by the whole world as responsible for the character of the Khedive's rule; and, therefore, if they really wished to inquire into the conduct of the Khedive they could do so; and, moreover, they ought to do so, because they had no right to spend the resources and arms of this country in keeping up a Government, if that Government was a discreditable and disgraceful one. The noble Lord vouched for the authenticity of the evidence he had brought forward.

LORD RANDOLPH CHURCHILL: No, no!

MR. GORST said, he was very glad to be corrected.

LORD RANDOLPH CHURCHILL said, that, perhaps, his hon. and learned Friend would allow him to correct him. What he had said was, that he firmly believed, and others firmly believed, that they would be able to prove before any tribunal the absolute authenticity of that telegram. [*Laughter.*]

MR. GORST said, he was very glad to be put right. He did not know that it was a matter to be laughed at; and if hon. Members would follow the example set them by the Prime Minister in treating the subject in a serious manner, it would be better for the right hon. Gentleman and for his Party. The telegrams undoubtedly deserved investigation, and it was in the power of the Government to investigate their authenticity. The Government was a party to stopping the trial of Arabi; and there was a consensus of opinion in all parts of the civilized world that the trial of Arabi had been stopped from a fear that circumstances would come out which would implicate the Khedive. Lightly as the matter might be treated by the right hon. Member for North Devon (Sir Stafford Northcote), it would not be so lightly treated by Her Majesty's Government; and when a statement was made with authority in that House, it must be investigated by a tribunal in which the country had confidence.

MR. RYLANDS reminded the House that when the question was before it on a former occasion he quoted the very words of a speech delivered by Lord Alcester, and fully reported in *The Army and Navy Gazette* and other newspapers, in which the noble Lord said he had bombarded the forts of Alexandria for the purpose of punishing the Egyptians for the massacre of the 11th of June; for, after stating that the last vessel was towed out of the harbour on the 10th of July, and that the batteries opened at 7 o'clock the following morning, he went on to say—

> "Therefore, there was no lack of promptitude to redress grievances."

Those words were subsequently quoted in that House, yet Lord Alcester never made a sign or uttered a single word repudiating them; but, at the Royal Academy dinner, he stated that—

> "It had been said he opened fire on the forts of Alexandria on account of the massacre. That was false."

Nobody, however, but Lord Alcester himself said that. If, having made the original statement in an after-dinner speech, he had afterwards said he did not mean to say anything of the kind, that would have been intelligible. The whole affair was most unsatisfactory; and while the case stood thus as regarded Lord Alcester, he thought it preposterous to ask the House to vote this large sum.

MR. CAMPBELL-BANNERMAN said, he thought it necessary to make some observations on what had been stated by the hon. Member for Burnley (Mr. Rylands) with regard to Lord Alcester. The hon. Member had said that Lord Alcester, after having delivered a speech which made a certain erroneous impression on the public mind, had allowed weeks to pass without a correction. His hon. Friend was in the House on the former occasion when the matter was discussed. During that debate, first of all his right hon. Friend near him (Mr. Childers) stated that the meaning placed on Lord Alcester's speech was not the meaning he intended to convey;

and afterwards he himself stated that he had Lord Alcester's authority for saying—he having spoken to the noble Lord upon the subject—that he had no intention whatever of conveying an impression that the action on the 11th of July was in any degree due to a desire to take vengeance for the massacre.

Mr. LABOUCHERE: Then, what did he mean?

Mr. CAMPBELL-BANNERMAN: What Lord Alcester meant was another question. He was anxious to make these remarks in reply, especially, to the attack made by his hon. Friend the Member for Burnley upon Lord Alcester, on the ground that, although an erroneous impression had got abroad as to the meaning of his speech, he took no steps to contradict it. He desired, therefore, to say that, a few days after that speech, he himself got up, by Lord Alcester's desire, to make the contradiction at the Table of the House.

Mr. HICKS said, that the hon. and gallant Gentleman the Member for Oxfordshire (Colonel North) had drawn attention to the mean and paltry distinction—those were his expressions—which the Government had made in this matter. In that view he (Mr. Hicks) cordially agreed; and, in his opinion also, the distinction was unworthy the country and the House. He believed it was not in the province of an independent Member to move an increase to a grant; and he certainly, for one, should be very sorry to be a party to moving a reduction, lest, by any chance, his motives might be misconstrued. However, he hoped that before the Bill finally passed the Government would relieve it of this objection, and would not call upon independent Members to vote for that with which they could not cordially agree.

Mr. ILLINGWORTH wished to say a few words in support of the vote he should give in favour of the Amendment of the hon. Baronet the Member for Carlisle. He thought the Prime Minister was entitled to complain that the debate had travelled unnecessarily wide, and that irrelevant topics had been introduced into it. The proposition of the Prime Minister was a perfectly fair one—that where Military or Naval Commanders acted purely as administrative instruments in the hands of a Government, the whole responsibility and blame of their action, if there was any blame, must rest with that Government whose blind instruments they were. But he had never been satisfied in his own mind that there was not a certain amount of discretion left with Lord Alcester by the Government in the position he held at Alexandria. Was the gallant Admiral not permitted to determine whether the menaces, the arming of the forts, and other movements might or might not be regarded as sufficient to justify him in firing on the forts, and thus bringing England into collision with Egypt? It was his belief that if the matter had been left in the hands of the Members of the Government in Downing Street there would have been no war; and he ventured to think that the Government itself found matters precipitated at the last moment. He did not deny that the position of the gallant Admiral was one of difficulty; but he could not hold him free from blame, for he believed Lord Alcester was precipitant. If the gallant Admiral had exercised the forbearance on this occasion that he did at a former period before Dulcigno, the result might have been more satisfactory, and he could have well done this with the overwhelming force he had at his command. The Prime Minister, no doubt, reckoned that the debate would be confined to narrow limits, and surprise had been manifested on both sides of the House that it had been so lengthy and wide. But he rejoiced at this fact, because it would indicate to those in authority that there was a growing difference of opinion among Members and in the country as to the glory of those military enterprizes. To make Generals and Admirals Peers of the Realm in this way, to grant them large rewards for successful deeds of bloodshed, was really to offer serious temptations to them; and for those reasons he felt bound to support his hon. Friend.

Mr. O'DONNELL said, it was certainly rather remarkable that the Prime Minister should say that he could not undertake, on the part of the Government, to demand an inquiry into the truth of the serious allegations made by the noble Lord the Member for Woodstock (Lord Randolph Churchill) before Whitsuntide—allegations which affected the credit, not only of the Ruler of Egypt, but of the English Government that upheld him—as to the part taken by him in the massacre at Alexandria, until they had first inquired into these matters. In that case he was entitled to suppose that no such steps had as yet been taken. But what had been happening in the meantime—what was happening at that moment? What guarantee had the Government that the Egyptian Government would not be murdering the witnesses? Indeed, so far as he could perceive, they were doing so. [*Cries of* "Divide!"] He wished to remind the House that, at that moment, an Egyptian officer was under sentence of death, who had based his defence on the ground that he was acting under superior orders; but every opportunity of bringing forward evidence of those orders was refused him. In the same manner, every person who had been engaged against the nominal Ruler of Egypt, and who brought forward inconvenient evidence or allegations, might be disposed of in a similar fashion by the gibbet, or by a sentence to hard labour, which was equivalent to death, unless the Government of England took up a very different attitude in the matter. With regard to Lord Alcester and the proposed grant, he (Mr. O'Donnell) contended that the noble and gallant Admiral had done no service at Alexandria to the public of this country that justified any such exceptional reward; and whatever service he rendered was certainly not that of either a great soldier or a sailor. If any reward was to be granted to him, it should, therefore, be on other grounds than those of having rendered distinguished service as an Admiral. What were the Naval services which Lord Alcester had rendered? He knew, by the plans and specifications of the Intelligence Department, every weak point in the fortifications of Alexandria, and that the guns in the greater part of them would not carry half way to his ships. Was it for such a contemptible victory as that that he was to be rewarded in this manner? If he had attacked a Cronstadt and silenced it, then he (Mr. O'Donnell) would not rise in his place and oppose this grant, because such a proceeding would have been worthy of the title of a Naval service. As it was, the Government had rewarded the promenade of the British Fleet into the Suez Canal; while they connived at the injustice done to the Natives who were hung, because, in the defence of their country, they killed Professor Palmer and his companions. It had been stated that 400,000 tons of material, 40,000 men, and 20,000 animals were landed in Egypt in 48 days; but it should be borne in mind that there was no substantial opposition to any of these operations, though as much show had been made about them as a promenade at Astley's. There was a very useful provision, very much talked about of late, and which prevented Civil servants of the Crown from becoming Members of that House; and now they were prevented from approaching Members of Parliament for the purpose of bringing grievances connected with their Departments before the House. He thought it would be a very wise thing if the same rule applied to the Military and Naval Services; for, undoubtedly, the present system led to the granting of most lavish rewards for Military and Naval achievements that were no achievements at all. And it had nothing less than a direct influence in inducing the professional class fellows of the officers rewarded to engage in wars which were as unjust and contemptible as the Egyptian War. With regard to the speech of Lord Alcester at the Mansion House, the hon. Gentleman the Secretary to the Admiralty (Mr. Campbell-Bannerman) had explained that Lord Alcester did not mean to convey what was apparently conveyed by the reports. But the hon. Gentleman had failed to put any other interpretation on the words used by the noble and gallant Lord. With regard to the speech of the hon. Member for Newcastle (Mr. Joseph Cowen), and to the Prime Minister's comments thereon, it was an affecting sight to see how the old Jingo above the Gangway fell upon the neck of the young Jingo below the Gangway. The hon. Member for Newcastle had referred to the remarkably short time in which the war was completed. But he omitted to notice the fact that there was no substantial opposition to those operations. The Vote for Lord Alcester came before the House, after a lapse of time, during which the country had had an opportunity of obtaining information upon the subject; and he would wish to call the attention of the House to the extraordinary doctrine laid down by the whole Front Opposition Benches. The initiation came from the Leader of the first Opposition

Bench. He alluded to the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), as the Leader of the first Opposition Bench. The right hon. Gentleman regretted, some months ago, before any documents were laid before the House, that the Government should not have taken the advantage of an ignorant and surprised Legislature, and consented to fling away £50,000 of the taxpayers' money in grants to Lords Alcester and Wolseley, without any knowledge of the real merits of the proposed recipients. The Premier then regretted that the circumstances of the Autumn Session prevented him from asking the House to grant a large sum of money without knowing really whether it would be right or wrong in so doing. Both right hon. Gentlemen were financiers, if they were anything; and yet such were their ideas of the probity which should direct the policy of England, that they avowed themselves ready to snatch from the Legislature a Vote of money without waiting to see whether it was proper that such a Vote of money should be passed. For his (Mr. O'Donnell's) part, he considered that if these Votes were to do any good, if they were to have any effect in stimulating men to do real service for their country, they should be brought forward after grave consideration and deliberation. When such were the principles on which the Leaders on both sides of the House were ready to conduct the financial policy of the country, it was little to be wondered at that a brother of a General should become contractor of the Army, and that another English contractor should send out rotten flour to support English soldiers in Egypt.

Mr. SPEAKER: The hon. Member is not speaking to the Question.

Mr. O'DONNELL said, he was endeavouring to show that the financial policy of the Government——

Mr. SPEAKER: I must ask the hon. Member to confine himself to the Question before the House.

Mr. O'DONNELL said, he would not pursue the subject further, though he did hope that those Radical Gentlemen, who professed so much sympathy with Egypt, would be a little more patient when its affairs were discussed. He protested against the proposal which the Government had made. The country and future Parliaments ought to be warned by the statements and the doctrine laid down that day, and be careful about sanctioning in the future the line of policy which the Premier regretted he was not able to perpetrate in the past.

Mr. O'BRIEN, who spoke amid great and continued interruption, said, he was sorry he could not congratulate the Government, or the Radical Party, on the half-hearted compromise which had been come to between them in this matter. [*Cries of* "Divide!"] When hon. Gentlemen opposite had exhausted themselves, he would continue his speech. In his opinion, the English Government were responsible for this war; and, as they were responsible for it, they ought not to attempt to get out of paying for it. [*Renewed cries of* "Divide!"] He would wait, of course, until hon. Gentlemen opposite had finished their incoherent interruptions.

Mr. SPEAKER: I must call upon the hon. Member to address himself to the Chair.

Mr. O'BRIEN said, he was about to observe, with reference to the noises from the other side of the House, that if hon. Members continued to interrupt him, he would simply have to wait until they had learned a little more sense and listened to what he had to say. He submitted that the Egyptian War was a shabby and disreputable business, whatever way one looked at it. Now, to him it seemed that a Jingo who had the courage of his convictions, and believed in his heart that the bombardment of Alexandria was a very fine thing, figured in the disreputable business to far greater advantage than the economical Radicals opposite, who were shouting out their interruptions—[*cries of* "Divide, divide!"]—and who now wanted not to give to their soldiers and sailors a little of that prize money which they had won for them. He, for one, could not agree with those Radicals who, like the hon. Baronet opposite (Sir Wilfrid Lawson), tried to victimize men for doing what the people of England sent them to do, and which, to use the words that had been used to describe an enterprize nearer home, of about equal courage, was to murder, to burn, and to destroy. He was sent out to do that work, and he had certainly done it in a manner to commend himself to those who sent him. The Government, apparently, had conciliated hon. Members opposite by sacrificing their original programme of hereditary pensions. Such pensions were very objectionable; but they were still more objectionable when awarded for safely and ingloriously slaughtering an all but defenceless people. As for the gallantry of the affair, it seemed to him that Lord Alcester, miles from the forts, and standing behind his walls of iron, shooting down defenceless men, who had as much right to defend their country as the English had to defend themselves from dynamite, was as safe from the fire of those forts as if the enemy had been pelting him with roasted apples. It seemed to him that Lord Alcester, standing thus, occupied the not less glorious position of an assassin behind a hedge, and certainly one of much less risk. [*Cries of* "Divide!"] If hon. Members wished to prolong his remarks, they could not adopt a better means of doing so than by interrupting him. None the less, he submitted that he had a right to be protected from the stupid and unmannerly conduct of hon. Members on both sides of the House. [*Cries of* "Order!"]

MR. SPEAKER: The hon. Member does not attend to my directions to address himself to the Chair. If he would address himself to the Chair, probably he would receive more attention.

MR. O'BRIEN said, he was sure the Speaker would admit that he received a great deal of provocation, which should also be taken into account. However, he would endeavour to keep to the point. He ridiculed the plea put forward by the Radical Members, that Admiral Seymour was more anxious to commence hostilities than the people of England were. He believed every cannon shot was telegraphed home and gloated over in England. He, for one, believed Lord Alcester was very moderately remunerated indeed for the amount of slaughter he had done; and if hon. Gentlemen of the Liberal persuasion disapproved now of his services, he hoped they would show their disapproval in some less disinterested manner than that of trying to save the ratepayers £20,000. If they had the courage of their convictions, or rather professions, let them give up the advantage they had got by the war; let them do an act of justice and honesty, as they would probably have done, if they had to face the long rifles of the Boers at Lang's Nek.

MR. JUSTIN M'CARTHY, who also spoke amid great interruption, said, he should protest against the principle laid down by the Prime Minister and the Leaders of the Opposition in this debate. [*Cries of* "Divide, divide!"] He wondered why it was the Radical Members were so anxious to suppress discussion on this question. [*Continued cries of* "Divide, divide!"]

MR. ARTHUR O'CONNOR: I rise to Order. I wish to ask you, Sir, whether it has not been forced upon your attention that an hon. Member, sitting below the Gangway on the other side of the House, has kept up continuous cries of "Divide!" ever since my hon. Friend the Member for Longford rose to address the House? I would ask you, Sir, whether my hon. Friend, being in possession of the House, is not entitled to be heard without interruption?

MR. STANTON: As I am one of the Members who has kept up the cry of "Divide!"——

MR. SPEAKER: The hon. Member for Longford (Mr. Justin M'Carthy) is in possession of the House, and is entitled to be heard without interruption.

MR. STANTON: I rise to a point of Order. May I be allowed to ask whether it is not the evident sense of the House that the Question should be put, and that we should proceed to a Division?

MR. SPEAKER made no reply.

MR. JUSTIN M'CARTHY said, he wished to protest against the doctrine laid down by the Prime Minister, that whenever a Government, on any ground, wished to confer special rewards upon anyone who had rendered services, that House had no business and no right to discuss the nature of the services rendered for those rewards, by way of protest against their being granted, or to say whether it approved of them or not, but was bound to vote what was proposed by the Government in a servile manner.

MR. GLADSTONE: I appeal to the House whether I ever stated anything so absurd as that the House should vote the money because the Government demanded it?

MR. JUSTIN M'CARTHY said, that he was alluding to that part of the speech of the right hon. Gentleman where he had distinctly said that discussion would take away the grace of the grant, and that it would be undignified, and more to the discredit of the House than of Lord Alcester, if the Vote was opposed; and that, he thought, came to the same thing. He protested against the doctrine of the Prime Minister. If a man did his duty, he was entitled to his remuneration; but when a special reward was proposed that was a very different thing. He had no intention of saying anything against Lord Alcester, except that he had not an opportunity in Egypt of displaying his ability as a Commander for earning this special reward. In the country which had produced men like Nelson, it was absurd to talk of Lord Alcester's services. One would think that this country had never won a Naval battle, or taken a town. The Government would have done more wisely if they had abstained from moving in the matter, and had left Lord Alcester alone with his glory, such as it was. He supported the Amendment.

Mr. LEAMY, in opposing the grant, said he could not help expressing his surprise that so few of those who represented the working classes had spoken in the debate. He contended that the House could not consider this proposed grant to Lord Alcester's services apart from the policy of which Lord Alcester was the instrument. If the question of the policy of the Government was to be raised, it was impossible that it could have been adequately discussed in the few hours which the debate had occupied. He denied that Lord Alcester's services had been of advantage to the country. [*Loud and continued cries of* "Divide!"] The interruption he was meeting with, owing to the impatience which the Radical Party manifested in a discussion which exposed the inconsistency of the present Government, was a strong argument in favour of the Amendment of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), because it showed that the Liberal Party were ashamed of the transaction which allegiance to their Chiefs led them to approve. [*Cries of* "Divide!"] He was not suprised that hon. Members persisted in shouting "Divide!" It must be very hard on hon. Members opposite to find their great Liberal Government, which came into power in 1880 with anti-Jingo cries, turning out a filibustering and marauding one, and masquerading in the stolen clothes of those very Jingoes whom they had so vehemently denounced.

Mr. O'KELLY said, that, in his opinion, the Government were perpetrating a practical joke upon the country in asking for a Vote to reward Lord Alcester for his eminent services in cruelly and heartlessly bombarding the defenceless town of Alexandria. The fact was, that noble and gallant Lord had provoked a conflict with the Egyptian people, knowing, with mathematical accuracy, that they were incapable of resistance. The position and power of every gun round Alexandria were known by the noble and gallant Lord before hostilities commenced, and he must have known that the enemy were unable to resist. Such were the military services in recognition of which they were asked to vote the money of the people. He protested against the proposed Vote, for if it were agreed to they would be guilty of a piece of political pick-pocketing. That a soldier, pretending to be civilized, should attack a practically unarmed people, and use the powers of civilization simply for the purpose of destruction, was something a country like this ought to be ashamed of. England had now destroyed three centres of civilization in Africa—Magdala, Coomassie, and Alexandria.

Mr. SPEAKER: I must call upon the hon. Member to address himself more closely to the Question before the House.

Mr. O'KELLY, resuming, said, he thought that the burning of these towns had something to do with the services distinguished soldiers rendered to this country. However, Mr. Speaker had ruled otherwise; and he should conclude by saying that if the House were to be asked to vote enormous sums for such services as those rendered by Lord Alcester, there would always be a great inducement to young men to enter the Navy, for in no other business would there be such great rewards for such small services.

Mr. T. D. SULLIVAN said, he utterly scouted the idea that the House of Commons should be debarred from discussing the murderous policy of the Government in connection with the Vote. If the House readily agreed to such a proposition as that now before it, the effect would be to encourage the Government to engage in small wars of aggression against weaker nations. The present Vote gave hon. Members an opportunity of protesting against the warlike policy of the so-called Peace-at-any-Price Party. The Government had charged the Tories with blood-guiltiness, on account of the war they had waged in South Africa; but their hands were never so red with blood as were those of the present Government, in crushing the efforts of patriotic men who had been endeavouring to free themselves from the most disgraceful thraldom. By rejecting the Bill, the House would put some little check upon such outrage in the future. He looked upon the Egyptian Campaign as a most miserable and disgraceful war. No one attempted to disguise the fact that the war, which was originally one of aggression, had become one of annexation; and the House ought not to countenance the voting away of public money for such purposes at this, for the result would be only to encourage such adventures. England now had Egypt in her clutches, and would never let her loose so long as she had anything of which she could be plundered; and, that being the case, he must decline to condone such an infamous proceeding by voting for the Bill.

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

QUESTIONS.

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI.

SIR STAFFORD NORTHCOTE: I wish to put a Question to the Prime Minister, of which I gave Notice at the beginning of the Sitting—namely, Whether Her Majesty's Government have considered and ascertained if it is in their power, and if they ought to take any steps to interpose in the matter of Suleiman Sami?

LORD EDMOND FITZMAURICE (for Mr. GLADSTONE): Her Majesty's Government have been informed by Sir Edward Malet that Suleiman Sami, who had been accused of burning Alexandria, was sentenced to death yesterday by the Court Martial held in that city. The trial has been watched by Major Macdonald, a distinguished officer, enjoying the full confidence of the Government. In a Report, dated April 30, he informed Lord Dufferin that he had full confidence in the composition of the Court appointed to try Suleiman Sami; and, under these circumstances, Her Majesty's Government have no intention of interfering, unless on the request and recommendation of Major Macdonald, and that has not been made.

LORD RANDOLPH CHURCHILL asked, whether Major Macdonald had been watching the trial on behalf of the prisoner; whether he had any legal knowledge; and, if it was true that Suleiman Sami's counsel had left the Court, because he was not allowed to call certain witnesses for the defence, therefore being unable to obtain justice for his client?

LORD EDMOND FITZMAURICE: Sir, Major Macdonald, as I think I explained the other day, was watching this trial, as he has watched the others, in the interests of justice and humanity. He was appointed by Her Majesty's Government, with certain other gentlemen who have special legal knowledge, to watch these trials generally. As to the report of the abandonment of the case by the prisoner's counsel, we have, as yet, no information; but, naturally, neither Her Majesty's Government, nor the Egyptian Government, are in any way responsible for the action of the counsel in question.

LORD RANDOLPH CHURCHILL asked, whether the noble Lord would inquire whether it was not the fact that Suleiman Sami's counsel wished to produce fresh evidence before the Court, and that the Court refused him permission to do so?

LORD EDMOND FITZMAURICE said, that he could give an answer at once. So far as he knew, Suleiman Sami himself, after the trial, wished to bring forward 25 new witnesses. These were entirely new witnesses. The Court had the power of admitting new evidence at the trial, beyond that which had been given before the preliminary Court of Instruction; but they did not consider that there was any necessity for allowing these new witnesses to be brought forward. ["Oh, oh!" *and* Mr. HEALY: Green Street.] [*Cries of* Order!"] Let him explain that these were entirely new witnesses, and the evidence on both sides had been fully gone into, in the first instance, at the preliminary proceedings; and then, according to French law, it had been examined and cross-examined upon at the Court Martial.

Mr. O'KELLY asked, how it was possible that the witnesses could have been examined and cross-examined, if their evidence was not admitted at all?

Lord EDMOND FITZMAURICE said, he was not referring to the new witnesses.

Mr. EDWARD CLARKE asked, whether any day had been fixed for the execution?

Lord EDMOND FITZMAURICE: No, Sir; there is no mention of any day.

Lord RANDOLPH CHURCHILL: Can the noble Lord say positively whether Sûleiman Sami produced before the Court Martial any witnesses for the defence who were examined and cross-examined?

Lord EDMOND FITZMAURICE: Certainly. I understand distinctly from Lord Dufferin that he had the right to examine the witnesses in open Court. Whether he actually exercised the right I cannot, of course, know.

Sir H. DRUMMOND WOLFF: May I ask the Prime Minister whether he intends to abandon this man to his fate, when the Under Secretary of State for Foreign Affairs tells us that the examination of witnesses brought forward in his defence is not allowed?

Mr. GLADSTONE: What I understand to be the case is this, Sir. There is, in every trial, a time appointed for those who conduct the prosecution and the defence to give in their lists of witnesses. The list of witnesses in this case was regularly and properly given in; and, so far as we know, the examination of all these witnesses was regularly and properly conducted and dealt with; and that when that was over the defenders claimed to bring in a number of new witnesses. Well, now, I believe that it is in the power and practice of a Court Martial and of Courts of Justice to judge when it is, and when it is not, proper to bring in new witnesses. I give this information, of course, subject to correction, according to such further accounts as we may receive from Egypt; but, as at present advised, I believe that to be a true and correct statement of the case.

Sir R. ASSHETON CROSS: Will the right hon. Gentleman make further inquiries into the matter?

Lord Edmond Fitzmaurice

Mr. GLADSTONE: Certainly.

Mr. HEALY asked, if the Government were in such a hurry to hang the gentleman that they would not allow these 25 witnesses to be called?

[No reply.]

LORD ALCESTER'S GRANT BILL.

Sir WILFRID LAWSON: Will the right hon. Gentleman inform the House when the debate on Lord Alcester's Bill is adjourned to?

Mr. GLADSTONE: This evening.

Sir WILFRID LAWSON: Does the right hon. Gentleman really intend to pursue the course of taking the suspended debate at the Evening Sitting?

Mr. GLADSTONE: Unquestionably. If it is the intention of the House, we intend to do so. We do not wish to dictate anything to the House; but after what we have seen of the debate this afternoon, I think it will be the wish of the House that the debate should be taken this evening.

Sir WILFRID LAWSON: Up to what hour?

Mr. GLADSTONE: We shall consult the convenience of the House.

In reply to a further Question by Sir Wilfrid Lawson,

Mr. GLADSTONE said, the debate on the grant to Lord Wolseley would be taken on Monday.

NAVY—LOSS OF H.M.S. "LIVELY."

Mr. W. H. SMITH asked, Whether the Prime Minister, or any other Member of the Government, could give the House any information with regard to the circumstances connected with the loss of Her Majesty's Ship *Lively* yesterday afternoon? The matter was one of great gravity, and he was sure the House would be glad to have any information the Government could afford.

Mr. GLADSTONE: I am very sorry I cannot.

CRIMINAL LAW—CASE OF —— SMART—THE CALNE BENCH OF MAGISTRATES.

Mr. JESSE COLLINGS gave Notice of a Question with respect to the case of a labourer named Smart, who was summoned before the Calne Bench of Magistrates (Lord Lansdowne in the chair) for leaving his work without leave. The man's wages were 10*s*. a-week, with 1*s*.

deducted for rent, at which he had worked since Michaelmas. The employer proved no damage, but claimed £1, stating that it was the custom of the county to do so. The defendant swore that he had told his employer he should leave unless his wages were raised; and, on its being refused, he left his work on the following Monday to go to the hiring at Swindon, but returned on the following day. His solicitor urged that the man had five children to keep on 9*s*. per week, and as no damage was shown there was no case; but defendant was fined 5*s*. and 5*s*. costs. Defendant was further charged with having shot two rabbits on April 1. The employer said that he saw two rabbits hung up in the house of his shepherd, who admitted that he shot one, and Smart the other, who was fined 2*s*. 6*d*. and 6*s*. 6*d*. costs.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY (AUXILIARY FORCES)—MILITIA SURGEONS.

MOTION FOR A COMMITTEE.

SIR **EARDLEY WILMOT**, in rising to call attention to the subject of Militia Surgeons as regards pensions; and to move—

> "That the continual refusal by the Administration of pensions to Militia Surgeons, compulsorily retired at 65 years of age, after long periods of service, and of compensation to those surgeons who have been deprived of a large amount of their incomes by the establishment of Brigade Depôts, to which pensions or compensation they consider themselves justly entitled; as also their complaints and great dissatisfaction thereat, embodied in a Petition from them lately presented to this Honourable House, be referred to a Committee to inquire into the reasonableness and justice of their complaints,"

said, he would, at the outset, make an appeal to the Prime Minister to at once grant the request for a small Committee, and thus save much time. The case was a very hard and an unjust one as affecting the Militia surgeons, who felt much aggrieved, and the Government would do a generous act by conceding the moderate request made. [Mr. GLADSTONE dissented.] He was sorry to see the right hon. Gentleman signify his dissent, because the refusal would oblige him to state the complaints of the Militia surgeons at some length. The Motion did not ask the Government to grant pensions, but simply to allow a Committee to hear and consider the grievances under which these officers laboured. Since 1855, the question had been several times brought before the attention of the House; and it had been practically admitted, again and again, that the Militia surgeons had just ground for complaint, and were entitled to compensation on compulsory retirement at the age mentioned. Promises had been several times made that their claims should be fairly considered, as appeared by letters addressed to him (Sir Eardley Wilmot) from the War Office, and to other hon. Members who had asked Questions upon the subject in the House. Yet, in face of the admissions made by previous Secretaries of State for War, the present Government were prepared to turn the surgeons adrift at 65 years of age, after 25 or 30 years' service, without any pension or compensation. No one could deny that that was a great grievance; and he would venture to say it was one at which the people generally of the country would be very indignant when they were informed of the facts. Under the alterations consequent on the adoption of short service and the brigade depôt system Militia surgeons were now deprived of many emoluments which they formerly enjoyed; and the argument that, on leaving the Service, they had their private practice to fall back upon, and therefore were not in need of pensions, was unfair and misleading, because the circumstances were such that few of them had any private practice, at least to the extent intimated, nor could those re-commence a professional career at an advanced age, and with a gap made in it by a long employment in the Militia, in many cases at a considerable distance from their homes. He proceeded to enumerate the several Statutes passed since 1829, in every one of which the clause giving the same retiring pensions to the Militia surgeons as to the adjutants was to be found; and if the pensions granted were only those available for surgeons who had retired previously to 1829, as the Circular of the Secretary of State for War assumed, how could it be possible that, after the lapse of 50 years, any surgeons could be found to take the benefit of the Act passed in that year, whereas, as late as 1882, an Act was to be found still keeping alive the claim to retiring pensions? There were analogous cases that he thought justified the claim of the Militia surgeons. For instance, pensions were granted to the surgeons when the Prisons Bill was passed four years ago, and also to the Poor Law medical officers. Personally, he had no interest in the matter; but he was confident that when a grievance as strong as this was fairly presented to the House hon. Members would not ignore it. The promise had been made that the grievances of this class of officers should be remedied, and it seemed to him (Sir Eardley Wilmot) that it was unworthy of a Liberal Government to act as the present Government had done in respect to the matter; for the case was that of a deserving class of men, who had served their country faithfully, and whose claim was moderate and reasonable. At the present time there were only 30 Militia surgeons who asked for pensions; and surely the request to give an officer at 65 years of age, after a long period of service, 6*s.* a-day for the few remaining years of his life was not an excessive demand. He, therefore, submitted his Motion to the House with a feeling of confidence that it would be adopted.

Dr. FARQUHARSON, in seconding the Motion, said, that outside the House there was a considerable sympathy with these gentlemen and their grievances. The grievances of these surgeons were two-fold. The first related to compulsory retirement. These men had been induced to join the Army, under conditions which permitted them to continue in the Service until they were incapacitated by age or ill-health, and they were now compulsorily retired at 65 years of age. It was a serious matter for these surgeons thus to be suddenly and compulsorily retired. Many of them had suffered in their practice from various causes, such as the necessity of suddenly leaving their home and their practice, irrespective of other engagements. The addition of their official income was such as to make their practice sufficient for a living; but when the official income was removed they were unable to live on their private practice, and many of them had arrived at a time of life when it was impossible for them to improve their private practice, consequently they had been suddenly reduced to a state of great poverty. One of these gentlemen, to his knowledge, was actually in the workhouse. It was said that these surgeons had never been on the permanent Staff, and, therefore, had no claim to pensions; but there was nothing in the Militia Acts which implied that it was necessary that surgeons of Militia should belong to the permanent Staff. The second grievance of these surgeons was that they had to submit to very great loss of income consequent on Lord Cardwell's arrangement, by which the brigade depôt surgeons took all the recruiting profits from them. These profits made up a great portion of their income, and their emoluments had in this way been, in some cases, reduced from £300 to £100 a-year, or even less. Promises had often been made to investigate individual cases; and a Departmental Committee, such as was now moved for, was a tribunal whose decision the surgeons would be well content to take.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the continual refusal by the Administration of pensions to Militia Surgeons, compulsorily retired at 65 years of age, after long periods of service, and of compensation to those surgeons who have been deprived of a large amount of their incomes by the establishment of Brigade Depôts, to which pensions or compensation they consider themselves justly entitled; as also their complaints and great dissatisfaction thereat, embodied in a Petition from them lately presented to this Honourable House, be referred to a Committee to inquire into the reasonableness and justice of their complaints,"—(*Sir Eardley Wilmot*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir ARTHUR HAYTER said, he was certain that the Finance Department of the War Office—and he believed the House itself—owed much to the hon. Baronet opposite the Member for South Warwickshire for bringing this question before their notice. The matter had been brought before the House in the shape of Questions, both by the hon. and learned Gentleman the Member for Limerick (Mr. O'Shaughnessy), and also by the hon. Member for West Aberdeenshire (Dr. Farquharson). It had already been considered by three Secretaries of State of different political opinions — namely, by Lord Cranbrook, by his Successor, the right hon. and gallant Gentleman the Member for North Lancashire (Colonel Stanley), and by his right hon. Friend the present Chancellor of the Exchequer (Mr. Childers); and, on each occasion, the decision had been adverse to the claims of the surgeons, both as regarded loss of income and loss of fees for the examination of recruits. There was no exceptional hardship in the position of Militia surgeons. Her Majesty had the power of deciding at what age Militia surgeons should retire; and it was considered that the extension of the age for retirement from 60 to 65 years of age—when the age for retirement of combatant officers was fixed at 60—was a sufficient relaxation. No pensions had ever been granted to officers who were not on the permanent Staff, and no Militia surgeons had ever been on the permanent Staff since the year 1829. At that date, when the Duke of Wellington was Prime Minister, and Sir Henry Hardinge Commander-in-Chief, a Circular was issued, stating that Militia Surgeons would be struck off the permanent Staff, and from that time no pension had been granted to a Militia surgeon. In the following Session of 1829 a Bill was passed into an Act, at the instance of the Government, to carry out the change, and the question of pension to Militia surgeons was not raised for many years. At the time of the Crimean War, when the Militia went to the Ionian Islands, a Circular was issued by Lord Panmure, stating that no Militia surgeon would be entitled to a retiring allowance unless he served for 10 years; but it so happened that these Militia regiments were embodied for no longer than two years. It was, therefore, clearly understood, from the terms of the Circular of 1855, that the Militia surgeons were not entitled to any allowance except for embodied service. In 1876 a Warrant was issued by Mr. Gathorne Hardy; and it was stated that nothing contained therein should be held as giving a medical officer of Militia a claim to a pension or retiring allowance. The case of these gentlemen had been submitted by the War Office to his hon. and learned Friends the Attorney General and the Solicitor General, and they had given it their most careful consideration. They had supplied the War Office with their opinion in writing, in which they decided against the claims of the Militia surgeons, both as regarded law and equity. There was another point, and that was, were these officers so badly off as had been represented? He was sure that the Secretary of State for War would be the last man to deal hardly with men who were poor, and possibly retiring from age or infirmity; but it must be remembered that the Militia surgeons received full pay at the rate of £1 a-day for the time that they were out with their regiments; whilst as they were only out, as a rule, for a month at a time, he could not admit that their private professional practice had been thereby ruined. The War Office must employ, whenever practicable, for the examination of recruits, the Army surgeons whom they paid all the year round. With regard to the Motion as it stood on the Paper, he must point out that the "continual refusal" referred to had not been by the Administration, but by the three Administrations preceding the present. He hoped the hon. Baronet would not divide the House after this explanation; but if he did take a division, this was the only answer which he (Sir Arthur Hayter), as a Minister, could give.

MR. DUCKHAM, in supporting the Resolution, said, he knew of one case, during the Crimean War, in which a Militia surgeon was called upon to be away for 12 months with his regiment, and to break up his home, and all his professional connections; and now, at the age of 65, although in full health and vigour, he was called upon to resign, with nothing to fall back upon. Whatever was done generally, he hoped this case would receive special consideration at the hands of the Government.

Question put.

The House *divided*:—Ayes 61; Noes 48: Majority 13.—(Div. List, No. 122.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

INLAND REVENUE—THE INHABITED HOUSE DUTY.—OBSERVATIONS.

MR. ALDERMAN W. LAWRENCE, in rising, according to Notice, to call the attention of the House to the Inhabited House Duty; and to move—

> "That the Inhabited House Duty ought to be repealed, because it limits the size of houses, and interferes injuriously with and restricts the mode of construction of houses and blocks of buildings specially adapted for the working classes; causes a large amount of available habitable accommodation to be unused; and is unfairly and unequally assessed,"

said, with regard to the subject there were the most fallacious notions prevalent throughout the country. About two-thirds of the houses in the Kingdom did not pay the house tax, and therefore it was presumed that the tax did not affect them, although it did so in reality, owing to the peculiar manner in which it was levied and the restrictions which appertained to it.

Mr. SPEAKER said, he did not know whether the hon. Member for the City of London was aware that, in consequence of the result of the Division which had just taken place, he was precluded from submitting to the House the Motion of which he had given Notice in reference to this subject.

Mr. HEALY said, he wished to ask whether the hon. Member for the City of London might not discuss the matter, although he could not submit his Motion?

Mr. Alderman W. LAWRENCE said, he was aware he had been deprived of the right of taking the sense of the House on his Motion; but he thought he might seize this opportunity of discussing the subject, and explaining various matters connected with it. The limit at which the inhabited house duty commenced was £20 per annum; and, consequently, there was a great desire throughout the country to build houses below that value for the working classes, in order that they might be exempt from the tax, which would amount to 9*d.* in the pound, or 15*s.* a-year. Therefore, many houses were built of smaller dimensions and with fewer conveniences than would otherwise be the case. No doubt, in many parts of the country, a very convenient house might be had for £20; but in London, Manchester, Liverpool, and other great cities, the limit of the tax restricted very much the accommodation for the working classes. Some dwellings, erected specially for the convenience of working men in London, were exempted from payment of the tax, because the whole building had an open staircase, with no front door; and consequently each tenement, which was in itself under the value of £20 a-year, was regarded as a separate house. In this manner the dwellings built by the Company presided over by his hon. Friend the Member for Maidstone (Sir Sydney Waterlow) escaped payment of the tax. The Peabody and some other buildings escaped the tax, not on account of their being built on this particular plan, but because, being erected by public bodies, they obtained a certificate of exemption from the Treasury. If a private person were to erect buildings like those of the Peabody Trustees, he would have to pay the inhabited house duty. Thus, that tax had a most detrimental effect on the houses built for the people. The old doctrine of supply and demand did not meet the case of the dwellings of the working classes. Unless special and disinterested exertions were made, those classes would find very unsatisfactory accommodation. That was the only tax which interfered injuriously with the article taxed. In the case of old houses which had formerly, like the houses about Drury Lane, been occupied by the wealthier classes, but were now inhabited by the working classes, the tax was still levied. Those houses were taxed at 9*d.* in the pound. The old house tax, which was heavier than the present tax, was repealed in 1834. But the window tax was continued longer and only repealed in 1851, when the present inhabited house duty was re-imposed; and the effects of the window duty were still occasionally visible in blocked-up windows and fan lights, which brought about a very unsanitary state of things. Similarly, the present house tax had an injurious effect in encouraging buildings of an inferior kind for the dwellings of the working class. There could be no doubt that the time had come to take the matter into serious consideration; but he knew it would be difficult to obtain its cessation, for he feared it was so easily collected, and too profitable, producing, as it did, about £1,700,000 a-year, for any Chancellor of the Exchequer to be willing to abolist it. But it bore very unequally on different classes and in different parts of the country. In cities it was severely felt; but in the country, where land was comparatively of little value, it was not much felt. More than half the tax was paid in the four Metropolitan counties of Middlesex, Surrey, Kent, and Essex, and the landlord paid his 5*d.* in the pound as property tax, and the tenant 9*d*. in the pound on the same assessment as house tax on every house which came within the range of the tax. But ducal palaces, and the residences of the higher classes, came off almost scot free. They were supposed to be rated at the sum at which they would let to a tenant from year to year who took the house with about three-quarters of an acre by way of curtilage. Of course, they would not really let at all, for who could afford to rent a ducal palace but a Duke? They were, however, rated at a nominal amount. Thus, magnificent mansions with large gardens and conservatories, and houses for stewards and coachmen and other dependents, and which cost, perhaps, £500,000, only paid tax on a few hundreds a-year. He was aware that it was a favourite argument of political economists that this tax was the most equitable that could be imposed, because it allowed persons indirectly to assess themselves by placing a tax upon the house they felt themselves justified by their incomes in inhabiting. But the fact was that the richer a man was, and the larger the house that he occupied, the less in proportion he paid under this tax. What was the use of reducing the taxation on a man's food and clothing, if his house was to be taxed unfairly? The country mansions built by successful traders, as well as those of the aristocracy, were taxed at too low a rate; and in many instances, where such persons had expended £20,000 or £30,000 on the construction of their mansions, they were only assessed to this tax on an assumed rental of £60 or £80 per annum. This house tax did not extend to Ireland, and, as a consequence, the members of the middle class in that country were better housed and lived more comfortably than those of the same class in this. Scotchmen, too, would doubtless be surprised to hear that Edinburgh, Lanarkshire, and Renfrewshire, between them, paid one-half of the house tax of Scotland. The county of Sutherland only paid £152 to the house tax, and the county of Cromarty £25. He had said enough, he thought, to prove, in the first place, that this tax interfered materially with the construction of houses for the working classes, as restricting the building of blocks of houses adapted for their use; and, in the next place, that the tax became lighter as the man had a greater income and larger means of paying it; and, therefore, that the tax constituted an evil which could not be defended, and that it should consequently be repealed.

MR. ARTHUR ARNOLD said, he was of opinion that the injustice to which the hon. Gentleman the Member for the City of London (Mr. Alderman Lawrence) called attention had its origin largely in the obsequious attention which the various assessment committees throughout the country were disposed to pay to the upper classes in regard to the assessment of mansions. In many cases, these committees were under a delusion as to the state of the law in regard to this important question. Something might be done to remedy the pressure of local taxes on the tenant farmers throughout England, if the mansions of the great were rated equitably for the relief of the poor. The words of the Parochial Assessment Act in regard to this matter were—"That such a house shall be rated at what it may reasonably be expected to let for from year to year." The late Lord Chief Justice, however, in a case not well known, declared that it was absurd to suppose that a large mansion could be regarded as a house lettable from year to year, and he laid it down that it should be rated at what it would let for under lease. It was thus quite within the discretion of the assessment committees to make a much more equitable assessment of what were called by the hon. Alderman "the mansions of the great." Not along ago this subject engaged the attention of the Duke of Richmond's Commission on Agriculture; and in giving evidence before the Commission, Mr. Hedley, a most experienced land valuer, gave it as his opinion that mansions were at present rated on no basis at all, that they were generally rated far below their actual value, and that they ought to be rated on the occupation value of the occupier—on the same principle, for instance, that a railway station was rated. No benefit could be greater than that they should have an equal and impartial assessment throughout the whole country.

MR. HEALY said, that, in his opinion, the speech of the hon. Gentleman the Member for the City of London (Mr. Alderman Lawrence) did credit alike to his head and heart, because he had taken up a grievance of a class of persons who could not be said to be at all adequately represented in this House. He could not, however, agree with the proposition that the grievance did not apply to Ireland, as regarded the domestic comforts of the people. They required in Ireland a system of valuation quite as badly as they required it in this country. He had known the mansion of a Duke escape with a valuation of £50 a-year; whereas a farmer's house, almost next door, was rated relatively to a much larger amount. These assessments were made under the direction of the tax collector. He consulted the owner of the mansion as to the rateable value of the property, and he certainly would not like to offend the local magnate by putting a high valuation upon his house. It was characteristic of that House that a grievance so long admitted, both in England and Ireland, should only at that late hour have found an exponent; and he thought it due to the hon. Member that someone on the Treasury Bench should give the views of the Government on the matter. He hoped that an ultimate effect of the discussion would be that the upper classes would not be allowed to escape from their fair share of taxation.

Mr. STAVELEY HILL said, the hon. Member for Salford (Mr. Arthur Arnold) was altogether wrong in the position he had taken up on this subject. Having seen a good deal of the working of Union assessment committees, he (Mr. Staveley Hill) said that position was altogether a mistaken one. Those committees—at least in country districts—were formed mostly of farmers, whose endeavour would naturally be to extend the area of the rate, as far as possible, so as to include persons not of the same class as themselves; and, so far from their being favourable to the interests of owners of large houses, they always attempted to place all possible share of the burden on them. The hon. Member was altogether mistaken in the interpretation he had put upon the words used in the judgment of the Lord Chief Justice, in the case referred to, in the interpretation of the words "from year to year;" it had always been held that while you must not look to the value in any one year, but to its value *comminibus auries*, the principle of a lease was altogether excluded. He (Mr. Staveley Hill) felt confident that Mr. Hedley, with whose opinions he was, perhaps, as well acquainted as the hon. Member, never could have proposed anything so silly as to rate mansion houses in the same way as railway stations.

Mr. ARTHUR ARNOLD repeated that Mr. Hedley had made a statement to that effect.

Mr. STAVELEY HILL said, in that case, he thought the hon. Member must have misunderstood Mr. Hedley, for the difference between the one and the other was obvious. The mansion house was often rather an incumbrance to the property, while the station was where all the traffic was received and collected. The assessment committees, who knew better how to deal with this question than most persons, had proceeded on the principle of assessing property according to the rent at which it would let; and he thought the hon. Gentleman had done great injustice to those Committees by the manner in which he had spoken of and interpreted their work.

Mr. COURTNEY said, the question before the House was that of the inhabited house duty, and to that he should strictly confine himself in the few words he had to address to the House. Now, he must protest against the illustrations with which the hon. Member for the City of London (Mr. Alderman Lawrence) had endeavoured to support his argument. It was an example of a mode of reasoning which was not unknown in that House, and which some hon. Members had illustrated that night. Nothing was more common, there and elsewhere, to find a particular tax selected, and great declarations made about the supposed injustice and inequalities of that tax. For example, he might mention the income tax. There was not a Member in that House, perhaps, who could not speak, for a considerable time and with much power, in reference to the inequalities of the income tax. It was complained that the same rate was charged upon an income derived from labour as upon fixed incomes, and that no regard was paid to the duration of life in life incomes. In a similar manner, nothing was more common than to point out the inequality or injustice of some indirect tax, such as that on tea, beer, or spirits, in its application. But he (Mr. Courtney) protested altogether against this mode of argument. If they were going to examine into the justice or injustice of any system of taxation that existed in this Kingdom, they must take the taxation as a whole, combine its several elements, and ascertain what was the total paid on the average by the rich man, by the middle-class man, and the poor man, and find out what was the proportion to the means in the several classes of society. Now, if there was any single tax on the system upon which our financial organization was founded, which would bear examination, by itself as a tax inherently just, it was the inhabited house duty. If that tax stood alone, as indeed it was intended to do, it would be, in his opinion, of so fair a character that they might look for an increase of it, rather than for its abolition. ["No, no!"] Could there be a better measure of the means of a man, taken roughly, than would be found in the valuation of the "house and appurtenances" which he selected for himself in which to live? Could they find any better test of the way in which a man's wealth increased or decreased than the style of house he occupied or indulged in? The next point raised was, that the actual assessment of great houses in the country did not correspond with the principle he had enunciated. He was quite willing to admit that it did not follow that principle, and that the tax was unequal now, owing to the working of the Parochial Assessment Act, just as it was 30 years ago, when his right hon. Friend the Prime Minister denounced its inequality. At the same time, though the principle contained in the present law, of valuing a house by a calculation of its letting value from year to year, could not apply to houses in the country, it was difficult to see in what way a satisfactory change could be effected. He admitted then, at once, that as it was a question of what a house would let for from year to year, the letting value of such great houses as Chatsworth or Longleat would not represent anything like their real value. The hon. Member for the City of London could not test the opinion of the House on this subject, as regarded any practical steps being taken with regard to it; but the action of the Legislature had always been gradually to redress inequalities that were found to exist, and he would at least have had the satisfaction of obtaining from the Government an expression of their desire in this case to remove inequalities, the existence of which, in some few cases, they fully recognized. He (Mr. Courtney) therefore hoped the hon. Member would not regard the discussion as fruitless.

MR. MACARTNEY said, with regard to what had been said by the hon. Member opposite (Mr. Alderman Lawrence) as regarded Ireland, in that country the houses of labouring men who paid, perhaps, 1*s.* per week for rent, were assessed at about 5*s.*; while those of tenant farmers paid about £1 or £1 10*s.* Of course, the valuation of Ireland was very low in all cases; but it was altogether incorrect to say that the lower classes paid almost as much as the higher.

MR. DAWSON said, the interest which Irishmen took in this question was only that which they always took in matters affecting the rights and privileges of the English people, with a view to securing a similar sympathy from Englishmen in Irish affairs. It was refreshing to find that the subject was brought forward, not with a view to the imposition of new restrictions on the working classes, but in their interests, and in order to improve their material surroundings. It would be well if the Government, instead of devoting itself to repressive measures, would try to devise means of making the incidence of taxation less heavy on the poorer portions of the population. It was said that this matter did not apply to Ireland; but he contended that anything relating to the incidence of taxation was interesting to Ireland, because taxation fell more heavily upon small occupiers in towns than it did upon the inhabitants of large mansions. He cordially endorsed the observations of the hon. Member for the City of London.

MR. O'CONNOR POWER said, he had listened with very great interest to the speech of his hon. Friend the Secretary to the Treasury (Mr. Courtney); but he was not quite satisfied with the conclusion to which his hon. Friend had arrived. His hon. Friend told the hon. Gentleman the Member for the City of London (Mr. Alderman Lawrence) that he ought to be satisfied with the debate, because the Prime Minister had been good enough to re-affirm an expression of opinion he had given some years ago in the same direction as the Motion of the hon. Member for the City of London.

He (Mr. O'Connor Power) was much impressed with the force of the observations of the Secretary to the Treasury, when he said that our system of taxation, as it bore on different individuals and different classes of the community, should be taken as a whole. He entirely endorsed that proposition; but he asked, at what point were they to begin the necessary reforms? Under what circumstances were private Members in that House able to combine, so as to make their representations of subjects of that kind effective in the counsels of the Treasury, and in the counsels of Her Majesty's Government? Now, upon that point, his hon. Friend the Secretary to the Treasury did not offer them any suggestion whatever. He believed it had been more than once suggested by experienced financiers that one of the best means of inquiring into the Estimates annually placed before the House would be to have a Committee specially charged with the duty of investigating them. But he thought there ought to be a second Committee of the House, to watch the money as it was paid in. There ought to be a Committee, to inquire and report to the House the methods by which the money was got in for the purposes of the expenditure; because, at present, the House had no opportunity afforded it of making the inquiry, seeing that the Public Business of the country was extending in every direction, while that of private Members was being curtailed. He would venture to offer one practical suggestion to the hon. Member for the City of London and others who took an interest in the question, and it was that they should not be content with debates of this description, where everybody agreed in what seemed to be a useless unanimity, because it led to no practical reform, but that the Government should be pressed to appoint a Committee to deal with questions of this nature. He hoped the hon. Member would give his suggestion the best consideration, and that when the subject was brought on at another time they might really be able to take some steps forward which would render them stronger and better able to cope with anomalies of this kind. No doubt, it was impossible to devise any tax, the incidence of which would not be at times unequal and unjust. He could not conceive any tax that would fall with perfectly just incidence on everybody who was bound to contribute towards the support of the State according to his means. It was inevitable that there should be anomalies in taxation, however able a Chancellor of the Exchequer or a Government there might be; but it should be their object to make these anomalies as few as possible, and from time to time to revise the principles upon which taxation was levied, in order that the burden might fall, as far as possible, justly and equally upon all classes of the community.

PARLIAMENT — BUSINESS OF THE HOUSE—SETTING UP OF SUPPLY A SECOND TIME.—OBSERVATIONS.

Mr. CAVENDISH BENTINCK said, he rose to call the attention of the House to a Notice which stood upon the Paper in his name—namely, of his intention to move—

"That if, on Friday evening, an Amendment be carried to the Question, 'That Mr. Speaker do now leave the Chair,' it shall be obligatory on Her Majesty's Government, before proceeding to any other Business, to move, 'That this House will immediately resolve itself into a Committee of Supply,' and Mr. Speaker shall again propose the Question, 'That I do now leave the Chair.'"

That Notice had now been on the Paper for a considerable time, and he should like to ask the hon. Gentleman opposite, the Secretary to the Treasury (Mr. Courtney), if there was any possibility of the Leader of the House being shortly in his place? Because, if the right hon. Gentleman was not able to be present, it was not desirable for him (Mr. Cavendish Bentinck) to occupy the attention of the House at any considerable length, inasmuch as it was in regard to the right hon. Gentleman and his policy, that he desired to ask the attention of the House. He certainly felt placed in a position of some embarrassment on the present occasion, and he could not but express surprise at it, because he had, not long ago, come into conflict with the right hon. Gentleman; and for the purpose of arriving at a decision as speedily as possible, and preventing any lengthened debate, he had taken the trouble to put the right hon. Gentleman in possession of what he considered to be the leading features of his case, in order that the right hon. Gentleman might be able to express agreement with the Notice which stood in his name, or to give some assurance to the House that the rights of independent Members would not be obstructed in future. He had no wish to talk against time, until the Prime Minister could be fetched from any place where he might now be enjoying himself; but, at the same time, it was necessary that he should direct the attention of the House to the subject. [At this point Mr. GLADSTONE entered the House.] As the right hon. Gentleman was now in his place, he would be able to proceed with the case, and, in as few words as possible, to call the attention of the right hon. Gentleman to the matter. He did not wish to treat it in any controversial spirit; but he wished to be as Parliamentary and polite as he possibly could in the language he used, and he hoped that the heart of the right hon. Gentleman would be touched, and that, in the future, he would abstain from any interference with the rights and privileges of independent Members of the House. In the first place, he desired to call the attention of the House to the year 1861, when private Members had Thursday for their Notices, and, also, the right, on Fridays, of speaking upon the question of the adjournment of the House from Friday to Monday. That question afforded them an opportunity of addressing the House upon any subject they thought fit to bring under notice. It was thought by Lord Palmerston that these extensive privileges of independent Members considerably limited the time at the disposal of the Government, and, therefore, in the early part of 1861, a Committee was appointed to consider the subject, of which the late Sir James Graham was Chairman. That Committee recommended that Thursday should be given to the Government, and that on Friday nights, instead of the Motion for Adjournment, Supply should be put down as the first Order of the Day, so that private Members should have their full right of bringing forward Motions. He would cite a few passages to show what was the opinion of the Leader of the House and other experienced authorities at that time. Lord Palmerston, in giving his reasons for the arrangement, said—

> "The Select Committee thought there would be an advantage by going into Committee of Supply on Friday night, and that, too, without any encroachment on the time of hon. Members for bringing on their Motions in accordance with their Notices. It would be a security to private Members when Committee of Supply is fixed that those who are interested in carrying on the Business of the Government will be in their places, and there would be less chance of private Members being defeated by the scantiness and thinness of the House. We do not propose to take from private Members anything which they now have, but simply to give the Government a reversion to any unexpended portion of time which may remain after the Notices of Motion have been disposed of. The suggestion was thrown out that there should be a limitation to those discussions upon going into Committee of Supply; but the Committee did not think it was expedient, and they proposed to leave unrestricted in the amplest extent the opportunities which Members now enjoy."

Sir James Graham, the Chairman of the Select Committee, said—

> "If this recommendation of the Committee be adopted, and it be the invariable rule that on Friday the Speaker leave the Chair to go into Committee of Supply, whereas now no Amendment on Friday can be put on the substituted Motion, an Amendment may be moved and the sense of the House taken upon it in addition to retaining every facility for calling attention to any special subject."

Mr. Sotheron Estcourt, who was a Member of the House for a considerable number of years, and was an influential Gentleman sitting on the Opposition side, said—

> "The impression was that it was intended to deprive independent Members of certain facilities which they at present possessed; but he held that independent Members would be in a better condition than at present. The substitution of debates on going into Supply on Fridays would not in any way encroach upon the present privileges of private Members."

These were the expectations and inducements held out to Members of the House for parting with Thursday, and giving up the privileges they enjoyed on Friday. The question was discussed at some length, and afterwards, on the proposal of Lord Palmerston, the Motion was carried. Personally, he (Mr. Cavendish Bentinck) objected to the Motion, and he voted against it; but it was most distinctly understood by the House—and he remembered Sir Henry Layard, who was at that time a Member of the House, giving it as his reason for supporting it—that independent Members would have their full rights on the Motion for going into Committee of Supply, and would be really better off than they were at that time. And so matters went on for 10 years; and he (Mr. Cavendish Bentinck) believed, during those 10 years, there were very few occasions when the Committee of Supply was not revived by the Government. However, in 1871, the Government declined, on one occasion, to revive Supply, and the question came on for discussion on the 6th of May in that year. The matter was mentioned a month or six weeks ago, and a Report was read from *Hansard* of the debate which took place at that time; but it was not exactly a full representation of what had taken place. He (Mr. Cavendish Bentinck) had preserved his own private notes of the debate, and they were confirmed from other sources of information, and it would be seen that Mr. Speaker Denison had decided that there was an obligation on the part of the Government on Fridays to re-instate the Order for going into Supply. He would ask the attention of the House while he read a short report of the debate, which was a correct version of what occurred. The question arose upon a matter raised by his hon. Friend the Member for the City of London (Mr. Alderman Lawrence). On that occasion, on the Motion, "That Mr. Speaker do now leave the Chair," a Resolution had been proposed by the present Common Serjeant of the City of London (Sir Thomas Charley), and the Motion being assented to by the Government, the Motion of the hon. Member for the City of London stood next on the Paper. It was a Motion referring to the Duchy of Lancaster; but the Government declined to revive Supply, and the hon. Member for the City of London failing to exhibit the usual energy which characterized him, remained silent in his place. Therefore, he (Mr. Cavendish Bentinck) felt himself obliged to rise, and he said—

"Mr. Cavendish Bentinck: A compact was entered into in 1860 between the Government and the independent Members that on Fridays, as soon as an Amendment to a Motion for Supply was carried, the Government were bound to revive the Motion. If that were done the hon. Member for the City of London would be at liberty to proceed with his Motion, and subsequently any hon. Member could address the House upon the ordinary Question that the Speaker leave the Chair. He understood that on a previous Friday the Premier raised a doubt as to whether the Government were under an obligation to revive the Motion; but when, in 1860, the independent Members of the House gave up Thursday to the Government, it was understood that they should have the right of full discussion on Friday evening on the Question that the Speaker leave the Chair. The Government ought not to attempt to limit the rights of independent Members; and he, therefore, thought it was the duty of the Government to make the Motion, in which case the hon. Member for the City of London would be a liberty to proceed.

"Mr. Speaker: The original Question was that I now leave the Chair, since which a Select Committee has been appointed; and the question of the hon. Member for Whitehaven is whether, under these circumstances, the Committee of Supply could be re-instated? That is the question to which the attention of the Government is drawn.

"Mr. Gladstone: Upon that point of Order I shall be glad to take the instruction of those who are competent to give it. I am not aware of that about which the hon. Member for Whitehaven seems so very confident—namely, that in the event of the failure of the original Motion, 'That Mr. Speaker leave the Chair,' it is obligatory on the part of the Government to renew it. [Mr. Cavendish Bentinck: On Fridays.] I am not sure either that if the Government do now renew it, it is within the power of any hon. Member to do so. As to that, I apprehend the hon. Member for Whitehaven is entirely in the wrong. I think it is not competent for any hon. Member to renew that question. With respect to the obligation on the part of the Government to renew it, that is going beyond my knowledge; but if it be a matter of good faith on the part of the Government to renew the Motion for going into Committee of Supply, of course, I am quite willing to act upon that.

"Mr. Speaker: The original Question was that I now leave the Chair, since which it has been moved that a Select Committee should be appointed. That Amendment being adopted, it supersedes the Question that I leave the Chair. Then, certainly, it is a course which has been followed on previous occasions, that under such circumstances the Government would revive the Motion for the Committee of Supply.

"The Amendment of the hon. Member for Salford was then put, and agreed to.

"There was then a pause for a short time, followed by cries of 'Move!'

"Mr. Gladstone rose and said: My hon. Friend would relieve me very much if he would withdraw that portion of his Motion which relates to the Duchy of Lancaster.

"Mr. Alderman Lawrence: I will withdraw that part of the Motion.

"Mr. Gladstone: Then, if my hon. Friend withdraws that part of his Motion, I will move that the House immediately resolve itself into Committee of Supply."

Mr. GLADSTONE asked where the report the right hon. and learned Member was quoting was to be found?

Mr. CAVENDISH BENTINCK said, he was giving his own recollection of what occurred, and he was quite clear upon the subject. To sum up what he had already said, the Government declined to set up Supply upon an Amendment being carried. He had made an appeal to them to renew the Motion for Supply. The right hon. Gentleman, first of all, said there was no obligation on the part of the Government to revive Supply; and then, that they could not do so; whereupon Mr. Speaker Denison, on being appealed to, said that—

> "Certainly it was a course which had been followed on previous occasions—that, under such circumstances, the Government should revive the Motion for the Committee of Supply."

Well, what were the circumstances and previous occasions? Why, that the day was Friday, and therefore the Motion for going into Committee of Supply was revived, according to the rule which was followed for a long series of years, after the speech of Lord Palmerston and the recommendation of the Committee. If it had not been so, how could Lord Palmerston have said that it was his intention on Fridays to leave unrestricted to the amplest extent the opportunities which private Members then enjoyed? That remark afforded a clear indication of what was in the mind of Lord Palmerston. Lord Palmerston either meant what he said, or he did not mean what he said. If he did mean what he said, an expectation was held out to independent Members of the House that they should have the power of moving Amendments, and also of carrying on a desultory discussion; and a consideration was offered to them for surrendering their privileges. Nothing had happened since to abrogate those privileges, or to get rid of the expectations held out on that occasion by Lord Palmerston. These were the circumstances referred to by Mr. Speaker Denison and his ruling. The hardships which the new practice might inflict upon private Members were obvious. It was clear that, in times of pressure, the Government might find it an instrument in their hands which they would be able to use to the great detriment of free discussion in the House, and in violation of the rights of independent Members. He believed it was not competent for him to move his Notice as an Amendment, and he was glad of it, because he should have been sorry in a thin House, and at that hour of the night, that the House should, by an adverse vote, arrive at a Resolution which would appear to be detrimental to the Privileges of the House. All he did now was to express a hope that the right hon. Gentleman the Prime Minister would answer the observations he had made in a conciliatory spirit, in order to show that he was not disposed to press any further limitations which might be injurious to the interests of private Members.

MR. GLADSTONE said, there were several points raised in the speech of the right hon. and learned Gentleman opposite (Mr. Cavendish Bentinck). In regard to some of them, he was inclined to agree; while, in respect of others, he differed from the right hon. and learned Gentleman. He agreed with the right hon. and learned Gentleman that it was not desirable for the House to come to a vote on a Motion of this kind; and, therefore, it was satisfactory to know that the right hon. and learned Gentleman was not in a position to move it. As to the speech of the right hon. and learned Gentleman, he thought he was mistaken in attempting to derive from the declaration of Lord Palmerston any expression of opinion whatever bearing upon the present point. The point the House were discussing at that time was whether there should be a limitation of the subjects which might be brought forward on the Order of the Day for going into Supply; and, upon that point, Lord Palmerston stated that the Committee were opposed to any limitation. The real question in the particular case which had been referred to was whether, when the Order of the Day for going into Committee of Supply had been decided by the carrying of an adverse Amendment, the Government were bound to set up Supply again, and that question formed no part of the previous discussion at all. He did not quite understand what amount of authority the notes of the right hon. and learned Gentleman had; but he certainly differed from the right hon. and learned Gentleman in the construction he had placed upon them. He understood they were notes taken by the right hon. and learned Gentleman himself.

MR. CAVENDISH BENTINCK said, they were notes corrected by himself.

MR. GLADSTONE: And not to be found in *Hansard?*

MR. CAVENDISH BENTINCK: No. He had expressly stated they were not to be found in *Hansard.*

MR. GLADSTONE said, that, under the circumstances, he did not know what degree of authority the notes were entitled to claim; but he entirely differed from the right hon. and learned Gentleman in the construction he put upon them. The case arose on a particular occasion, when the Order for going into Committee of Supply having been put aside by the carrying of an adverse

Amendment, a question was raised, not whether Supply should be, but whether it could be, set up again? An appeal was made to the Speaker on the subject, and Lord Ossington, who was then Speaker (as Mr. Denison), pointed out what had been the mode of procedure on previous occasions; but he did not say that it had been the invariable rule on all previous occasions. The right hon. and learned Gentleman said the ruling of the present Speaker was in conflict with that of Lord Ossington, the present Speaker having stated that there was no obligation on the part of the present Government to renew the Motion for going into Committee of Supply. The right hon. and learned Gentleman contended that that ruling was contrary to the usage of the House, and contrary to the dictum of Lord Ossington; but, in his (Mr. Gladstone's) opinion, there was no discrepancy whatever between the ruling of the two Speakers, and the dictum of Lord Ossington did not, in the slightest degree, conflict with the ruling given a short time ago by the present Speaker. Nor was there, in truth, any practical difference between the right hon. and learned Gentleman and himself; because they both agreed in substance that Friday evening was to be at the disposal of private and independent Members. He should, however, have objected to the Motion of the right hon. and learned Gentleman on the ground, among other things, that much depended upon the hour of the evening and the circumstances of the case. It might be a very late hour in the evening, or 1 o'clock in the morning, when an adverse Motion was carried; and it was not obligatory, nor would it be convenient, as a general rule, that a Motion for going into Committee of Supply should in such a case be renewed. That was a point upon which he differed from the right hon. and learned Gentleman; but, as regarded the proposition that in ordinary circumstances, where it was inconvenient to the House, or where urgent Public Business did not require a different course to be pursued, it would undoubtedly be a very rare case where the Order for going into Committee of Supply was not set up again. There was one point which the right hon. and learned Gentleman did not notice, and that was the expectation of Lord Palmerston, when the arrangement was made, that there would be an appreciable residue of the time on Fridays available for the Business of the Government. He (Mr. Gladstone) recollected quite well, in 1866, calculating the time at the disposal of the Government for Government Business, and he confined himself to two days in the week, Monday and Thursday; but Lord Derby, who then held a prominent position on the other side of the House, pointed out and argued justly that he had forgotten to take notice of the fact that the Government were the residuary legatees of Friday night. That was the view which the Government had always taken of the matter, and the only case in which he could recollect a dispute having arisen was when they had reached the hour of 11 o'clock, and the greater part of the evening had been passed in discussing Motions upon going into Committee of Supply.

Sir STAFFORD NORTHCOTE said, he did not suppose it was necessary, under the circumstances, that he should enter very largely into the question which had been raised by his right hon. and learned Friend (Mr. Cavendish Bentinck). He must say, however, that he agreed to some extent in his contention. He thought that the intention of the Rule which was made in regard to taking Supply on Fridays was that an opportunity should be given to Members of the House to bring forward, in the free manner they were in the habit of doing, on the Motion for Adjournment from Friday until Monday, such subjects which they thought ought to be discussed. He thought it was entirely in accordance with the principle of that Rule that the Government, at all events in ordinary circumstances, should set up Supply again on such occasions as those which his right hon. and learned Friend contemplated. He did not understand, from the right hon. Gentleman the Prime Minister, that he really differed from that view of the case. If the House were now in a position to come to a vote on the subject, he should, of course, have considered it necessary to say a few words more in order to support his vote; but they were not in that position. They were simply engaged in an academic discussion; and he thought the effect of it would be to express, on the part of the House, an opinion that the Rule which should be followed should be of the character described by his right hon. and learned Friend, although it could not be made absolute.

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI.

OBSERVATIONS.

SIR STAFFORD NORTHCOTE said, the reason he had risen on this occasion was not for the purpose of entering into what might be called an academic discussion, but for the purpose of bringing forward again a very practical and pressing question, which was briefly alluded to in the earlier part of that day's Sitting, but which he thought it was necessary they should press upon the consideration of the Government. The question to which he referred was the position of the condemned man, Suleiman Sami, in Egypt. He had received information, on which he could place entire reliance, that this man was not only under sentence of death, but that the sentence was to be carried out to-morrow—or, he believed he might say, seeing that it was past 12 o'clock, that day. He understood, from communications he had received, that the entrance of the Khedive into Alexandria was to be delayed on account of the execution that was to take place, as it was desired that the Khedive should not enter that city until the execution was over. He did not desire for a moment to express any opinion in regard to the justice of the sentence after it was passed. He was quite prepared to believe that everything that had been done had been done rightly and properly. He knew nothing of the case that would induce him to form another opinion; and if Her Majesty's Government were prepared to say they had reason to believe that all was right, and that everything that had been done had been done in accordance with justice, he should, of course, accept such a statement, founded on their own responsibility. But he must point out that, under the circumstances in which he stood, and in the peculiar relations which this country had now adopted towards Egypt, it was not for us to shut our eyes and to say that it lay with the Egyptian Government, and that we had nothing, as a British Government, to do with it. It could not be denied for a moment that the whole system of Egyptian administration at present rested upon the support of Her Majesty's Government. It might, or might not, be right that that should be case; but if it was the case, as he believed it was, Her Majesty's Government must be prepared to accept the circumstances of that position, and be prepared to be challenged and to meet the challenge when any question was raised as to the administration of justice in Egypt. They had now altogether passed the time for inquiring whether the original Expedition to Egypt was or was not necessary, or whether the events that occurred there might or might not have been avoided by a different course of action. They had passed all that; but they had practically before them the question of the relations which the Government of this country now bore towards the Government of Egypt. They knew that that Government had no strength of itself, but that it stood on the support of this country; and, therefore, there was a responsibility attached to this country for anything that might take place. The information he had received was to the effect that the Khedive had postponed his departure for Alexandria until Saturday. His Highness had intended to make the journey to-morrow; but it had been decided that the execution of Suleiman Sami should take place to-morrow morning, and he did not wish to enter the town on the same day as the execution. A petition for the pardon of Suleiman was presented to the Khedive by the counsel for the defence, but rejected. He (Sir Stafford Northcote) wished again to say that he knew nothing about the merits of the case, and he was not at all prepared to deny that there might not have been a perfect reason for the rejection of the petition of Suleiman's counsel for a pardon; but either Her Majesty's Government had something to do with the matter or they had not. The House ought to know which it was. They ought to know on what footing the Government of Egypt rested. It was a crucial case, in which they had a right to demand that Her Majesty's Government should acknowledge their share of responsibility, and state their opinion and the conclusion at which they had arrived in regard to the matter.

LORD EDMOND FITZMAURICE said, no one would, he was sure, think for a single instant of complaining that the question had been mentioned again that day; because the moment at which his hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) was able to raise the question at the Morning Sitting precluded anything beyond a very brief conversation, which was, no doubt, of an unsatisfactory character to everybody concerned. It was, therefore, desirable that there should be a fuller discussion of the question. In regard to this man, Suleiman Sami, whose case had been brought forward by the right hon. Gentleman opposite (Sir Stafford Northcote), he (Lord Edmond Fitzmaurice) wished to make it perfectly clear to the House that he was not one of those who were known as political prisoners. He felt it necessary to say that; because he found, from conversation with several of his hon. Friends, that an impression existed that he was to be classed in the same category as those persons of whom the well-known Arabi was chief and Toulba another. Owing to that impression, a considerable amount of sympathy and attention had been excited which otherwise would not have been the case. Suleiman Sami was not one of the political prisoners at all. The facts were these. The main charge against Suleiman Sami was a charge of arson and plunder, committed on the day, and subsequent to the day, of the attack on Alexandria. After that event, Suleiman Sami and certain other persons escaped to the Ottoman territory, to a place from which they were surrendered by the Ottoman Government, and the charge brought against Suleiman Sami on his return was that of ordinary crime—a charge of arson and plunder—and his name figured in the lists of various prisoners who, a short time ago, were awaiting trial, under the procedure he had described the other day. Now, he thought it desirable once more to dwell, if only for a moment, on the character of that procedure. They must, he thought, in a case of this kind, however repugnant it might be to them as Englishmen, make up their minds to detach themselves from the prevailing notions, however dear to them, in regard to their own jurisprudence. They must make up their minds that, in dealing with the facts of the case, they were dealing with a foreign procedure, and a procedure which, partly from national prejudice, was objectionable to the feelings of this country. Nevertheless, it existed over a large portion of the civilized world. There were preliminary proceedings before one Court, and the final stage was before a another Court. What took place was this. At the preliminary proceedings, witnesses, both for the prosecution and the defence, appeared and were examined, but counsel was not admitted. The preliminary stage was similar to that which was called in France the making of an *Acte d'Accusation*. After the Court had fully heard the whole case, it made out what we should call an indictment, but, as it was called in Egypt, a *dossier*, and that *dossier* was used as the basis of the proceedings in the higher Court. The proceedings of this higher Court were the proceedings of a Court Martial sitting at Alexandria. It was presided over by an Egyptian in whom, he was informed, every person who had been brought into contact with him had every reliance—namely, Riouf Pasha—and the President was assisted by two Europeans, men of solid reputation—Morice Bey, an Englishman, and Fanedirigo Bey, an Italian. That Court Martial had the evidence before it which had been given at the preliminary proceedings, counsel were admitted, and the examination and cross-examination of witnesses were allowed. Counsel, excluded from access to the prisoners at the preliminary proceedings, had, at the second trial, access to their clients as a matter of right, so as to be able to prepare the defence. The prisoners had also the right to ask that further evidence should be produced; but the Court was not obliged to give permission, unless it considered the demand to be really *bonâ fide*, and not made simply for the purpose of delay, and to prevent justice taking its fair and natural course. It appeared that Suleiman Sami, even before his witnesses or *dossier* were prepared, was deserted by his counsel. As to what the reason was, he (Lord Edmond Fitzmaurice) had no information, nor could he say that the course thus taken necessarily told in favour of the prisoner, because it might be that the counsel for the prisoner saw that the case was a perfectly hopeless one. Suleiman also wished to call certain additional witnesses; but the Court considered, either that the demand was one which it should not accede to, or that it was not made in a *bonâ fide* manner. But the most important point for the House was, that not merely this trial, but all the trials, had been watched by English officers. This particular trial had been watched by the gentleman, whose name he had mentioned the other day—namely, Major Macdonald, a gentleman of great reputation, in whom Lord Dufferin had the greatest confidence. He had had the assistance of certain gentlemen, well acquainted with Oriental languages and Egyptian legal affairs, and acquainted with the technicalities of the law in that country; and their general instructions had been to report, either to Lord Dufferin or to Sir Edward Malet, if they saw anything at these trials which they considered an infraction of justice, or anything to show that the prisoners had not had a fair trial. Major Macdonald had watched the proceedings, and he had not reported to Sir Edward Malet that there had been any infraction of justice. They had, indeed, received a telegram from Sir Edward Malet stating that Suleiman Pasha had been condemned; but he did not state the exact day fixed for the execution. The right hon. Gentleman opposite (Sir Stafford Northcote), however, had informed the House that the execution was to take place to-day. He (Lord Edmond Fitzmaurice) was not in a position to state that that was not so; but what he wished to put before the House was, that there was no reason to suppose that, in this case, there had been any miscarriage of justice or infraction of justice such as ought to lead Her Majesty's Government to intervene. If, because a particular man had been sentenced to death, the Government were to consider it their duty to telegraph to Egypt to stop the proceedings, it seemed to him that the Government would be logically involving themselves in an interference with every trial in Egypt. Her Majesty's Government clearly could only act in a case of this kind—a case which was one of ordinary and not political crime—upon the report of the gentlemen who had been deputed to watch the case, that they considered there had been some miscarriage of justice; but there was no reason to suppose that there had been any miscarriage in this case. Nevertheless, when the telegram came from Sir Edward Malet, stating that Suleiman Pasha had been condemned, Lord Granville did consider it desirable to telegraph for fuller information owing more particularly to certain statements in the newspapers which were likely to cause an early inquiry here; and a telegram had been sent to Sir Edward Malet, specifically asking whether there was anything in this case to leave in his mind any doubt as to whether Suleiman Sami had, or had not had, a fair trial. That was one of the many proofs which might be adduced of the great anxiety of the Government, by their own example, to set an example in Egypt of that love of justice which it was, above all things, necessary to instil into the minds of the people of that country. But there was yet another point which he wished to urge; and that was, to place clearly before the House the essential distinction which there was between the case of Suleiman Pasha and the case of Arabi Pasha. Neither he, nor anyone else upon the Treasury Bench, had spoken against Arabi Pasha as they had been said to have spoken. What had been said against Arabi was, that he and certain of his associates raised a great movement, which they proved themselves perfectly unable to control or direct, and that thereby they were producing—nay, that they had produced—a condition of anarchy in Egypt, and that taking advantage of that anarchy various men, of whom Suleiman Sami was one, indulged their own vices, and committed acts which would be wrongful, wheresoever and by whomsoever committed. These men stood in a totally different position from that of Arabi Pasha, Toulba Pasha, and those other prisoners who were now at Ceylon. Those prisoners were political offenders, and it was for that reason, and also to a certain extent because Arabi Pasha and his battalions had surrendered themselves to an English General, that the Government considered it their duty to lay down, in regard to their trial, certain rules, and to obtain for them certain securities; but they had not considered it their duty to claim the same rights and privileges for prisoners such as Suleiman Sami and others, who were accused of ordinary crime—of massacre, of murder, of pillage, of plunder, and of arson; and he did not believe that it was the wish of the House that they should do so—that they should intervene in these cases; and that for two reasons. In the first place, because, by the intervention of such men as Major Macdonald and the other officers, whose names he had mentioned, who were watching the trials, they were able to secure a substantially fair trial; and, further, because it was the wish of the House, consistently with the general lines of their policy, to limit rather than to extend the sphere of their intervention in Egypt. What he wished to point out—and he hoped he might be able to do so in a friendly and courteous spirit—to the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and those who were acting with him, was, that if they attempted to make the Government responsible for every blow of a courbash, and every stroke of the lash, and for every incident of every trial, they would be running counter by that action to what they in this House, and even more out of this House, were calling upon the Government to do—namely, to limit, rather than extend, the sphere of their operations in Egypt. He addressed that observation to the hon. Baronet, and not to the worthy Alderman opposite (Mr. R. N. Fowler), because he believed that, on the other side, there was a *bonâ fide* desire to force the Government to extend the sphere of their operations in Egypt; and, therefore, he could make no complaint of the worthy Alderman and his Friends, if they took every means they could to force the Government into that position. But he thought he had a right to complain of the hon. Member for Carlisle, for asking them to do one thing, and then, by their action, forcing them to do exactly the opposite. He thought this a fair opportunity to make these observations; but he hoped the hon. Baronet would believe that he made them in a perfectly friendly spirit. He felt that it was a great misfortune to have to differ from the hon. Baronet; but if they were to agree to differ, it was well that there should be some understanding as to what it was upon which they differed, and that he should not be met one day by a demand to go forward, and on the next day a demand to go back. With regard to the case of Suleiman Sami, he had now placed the facts fairly before the House; and he thought hon. Members would see that, both with regard to this trial, and to the other trials, the Government had, by the action of Major Macdonald, secured that there should be a fair trial for the prisoners, and that the Government would be acting most dangerously and most unwisely, if, not having received any Report whatever from their Representative at these trials to lead them to suppose that there had been any miscarriage of justice, they were suddenly to take proceedings and thereby commit themselves to a dangerous course, the ultimate result of which it would be impossible to foresee or describe.

Sir H. DRUMMOND WOLFF said, the noble Lord (Lord Edmond Fitzmaurice) had travelled over a much wider ground than the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson). This was not a question of the blows of a courbash; it was the question of the sacrifice of a human life, which he (Sir H. Drummond Wolff) himself believed had been promoted by the authorities in Egypt for the sake of hushing up their own delinquencies. The noble Lord said they were to rely entirely on Lord Dufferin and Major Macdonald. No one had greater respect than he had for Lord Dufferin; but, notwithstanding the very vague and ambiguous denial given on hearsay by the Prime Minister as to Lord Dufferin's proceedings, he had every reason to believe that Lord Dufferin did refuse to look into the evidence which implicated the Khedive in the massacre at Alexandria.

Sir CHARLES W. DILKE: He says, "No."

Sir H. DRUMMOND WOLFF said, he would accept the right hon. Gentleman's word; but he wished to have it from Lord Dufferin himself.

Mr. GLADSTONE asked, whether the hon. Member (Sir H. Drummond Wolff) was in Order in impeaching the statement of a responsible Member of the Crown, and casting an imputation upon his veracity?

Mr. T. P. O'CONNOR asked, whether the hon. Member (Sir H. Drummond Wolff) had not a perfect right to question the representation of the views of another person which had come from the Prime Minister?

Mr. SPEAKER: The hon. Gentleman is bound to accept the explicit statement of the Prime Minister.

Sir H. DRUMMOND WOLFF said, he accepted the declaration of the Prime Minister; but he wished to ask whether the right hon. Gentleman had received the denial from Lord Dufferin's own lips?

Mr. GLADSTONE: I have heard it from the lips of my Colleagues, who heard it from Lord Dufferin, when I was engaged in this House. I make myself responsible for that declaration, in as full a sense as if I were speaking from what I had myself directly heard.

SIR H. DRUMMOND WOLFF said, he fully accepted the right hon. Gentleman's explanation; but still it was hearsay, and he wished to be able to cross-examine Lord Dufferin on this question. The question was this—Suleiman Sami, it was generally believed, was to be executed, with the view to getting out of the way important evidence against some of the higher authorities in Egypt. [*A laugh* from Mr. GLADSTONE.] The right hon. Gentleman laughed; but he (Sir H. Drummond Wolff) did not think the right hon. Gentleman really knew what the opinion in Egypt was. What he said was, that the Government were colluding—he would not say intentionally, but practically—with the authorities in Egypt, in the execution of the man who had in his power the means of bringing formidable evidence against the Khedive as to the massacres. He did not think the Government were quite free. He did not mean that they were guilty, but a very great responsibility rested upon them with regard to the massacres. On a former occasion, he had asked the hon. Gentleman the Secretary to the Admiralty, whether Lord Alcester, who was then Sir Beauchamp Seymour, had been reproved by the Government for not taking further steps on the 11th of June, with a view to saving life and property in Egypt? He was met by the hon. Gentleman with an imputation that he was casting an aspersion on Lord Alcester; and yet he had reason to believe that after he had received instructions on the 15th of May to land troops in the event of disorders in Alexandria, Lord Alcester had received counter-instructions from the Government on the subject. Upon that, the right hon. Gentleman at the head of the Government, with that promptitude of denial which so distinguished him, told him he was within a measurable distance of calumny. On the 15th of May, the following despatch was addressed by Lord Granville to Lord Lyons:—

"I have to state to your Excellency that the following are the instructions which have been sent to the British Admiral with regard to joint co-operation of the Naval Forces of the two countries in the present crisis in Egypt:—'Communicate with the British Consul General on arrival at Alexandria, and in concert with him propose to co-operate with him, with France, to support the Khedive and British subjects and Europeans, landing a force if required.'"

On the 11th of June, Lord Alcester did not land troops, and it was on that occasion he put a Question to the Secretary to the Admiralty. What did Lord Granville write to our Representatives at Vienna, St. Petersburg, Constantinople, and other capitals? Lord Granville wrote—

"Foreign Office, May 23rd, 1882—As my telegram of the 15th instant has informed you, the two Governments of France and England have sent a Squadron to Alexandria. The events which gave rise to this determination were so sudden, and the danger which seemed to menace our countrymen were so pressing, that time was absolutely wanting for us to come to a previous understanding with the other Powers. Since then a reconciliation has taken place at Cairo; but, besides that it did not appear durable, the news did not reach the two Governments until their ships were already on their way. No one can have mistaken the character and the objects of this demonstration; the declarations made to the British and French Parliaments have prevented all doubts in this respect. The English and French Governments have gone to Egypt not to make a selfish and exclusive policy prevail, but to secure, without distinction of nationalities, the interests in that country of the several European Powers, and to maintain the authority of the Khedive, such as it has been established by the Firmans recognized by Europe. They have never proposed to land troops or to resort to a military occupation of the country."

On the 15th of May, Lord Alcester was told to land troops; but, on the 23rd, the Foreign Representatives were told that the Government never intended to land troops; and, in the face of such evidence as that, the noble Lord (Lord Edmond Fitzmaurice) stated that, because Major Macdonald had not reported that the trial had not been properly conducted, the Government would not interfere. [Mr. WARTON: He has not reported.] No; he had not reported that it was not a correct trial; and, notwithstanding that evidence had been refused, and that the right hon. Member for North Devon (Sir Stafford Northcote) had stated that the execution was to take place to-day, the Government had taken no steps to prevent the execution. It was said we were not bound to look into the question. But we were bound not to allow injustice to be committed in Egypt. We went to great expense in conducting the late war, and we were still responsible for the condition of affairs in Egypt; because we had our troops there, and if a life was to be sacrificed on account of any oversight on the part of the Government, he should hold the Government responsible for the loss of that life. He considered that the responsibility of the massacres at Alexandria, which the right hon. Gentleman at the head of the Government treated with so much levity, rested to a great extent upon the Government itself. On the 11th of May, 1882, he asked the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), who, at that time, was Under Secretary of State for Foreign Affairs, what steps had been taken for the protection of British interests in Egypt in view of recent events? That was one month before the massacres. The right hon. Gentleman gave one of those very able answers which he used to give, but which really furnished no information at all. He (Sir H. Drummond Wolff) was obliged afterwards to ask for something more explicit, and to threaten to move the adjournment of the House, unless he got a satisfactory answer. [*A laugh.*] He did not see why the hon. Gentleman the Secretary to the Admiralty (Mr. Campbell-Bannerman) should jeer, and treat the matter with great levity, because the hon. Gentleman was really quite as responsible as any other Member of the Government. On the 11th of May, the right hon. Gentleman, in answer to his (Sir H. Drummond Wolff's) inquiry, said—

> "I have already stated—in fact, I volunteered the statement before I was pressed upon the subject—that the protection of both life and property was the most pressing matter in connection with the present state of things in Egypt, and that it had engaged the immediate attention of Her Majesty's Government, and that no delay in regard to it had been caused by the French Government, although communications had taken place. I think hon. Members can read within the lines of the statement; and I may add that Her Majesty's Government have not received up to the present time from Sir Edward Malet any request for the immediate sending of assistance."

That was the kind of information they received at that time from the right hon. Gentleman. On the 15th of May, he again asked the right hon. Gentleman if he could state what steps Her Majesty's Government had taken to protect the lives and property of British subjects in Egypt during the crisis then existing; and the right hon. Gentleman then said—

> "The English and French Fleets have gone to Suda Bay, on their way to Alexandria. Orders have already been sent to Suda Bay that they are at once to proceed to Alexandria."

Once more, on the 26th of May—only a fortnight before the massacres at Alexandria—he asked the right hon. Gentleman what had been done by the Government; and the right hon. Gentleman said—

> "We have taken every step recommended by the English and French Agents at Cairo; but we have not received any information from them to the effect that they consider there is any danger."

In the absence of information from these Agents, the Government allowed the massacres of Alexandria to take place without any effort to prevent them; and now, a year after, the Government were allowing the life of a man to be sacrificed on the same negative evidence—that was to say, their Agents did not inform them that there was any reason for the execution to be stayed. What he asked the Prime Minister was, whether he really intended this man to be executed upon negative evidence? He was also desirous to hear from the noble Lord (Lord Edmond Fitzmaurice) when the telegram was sent to Sir Edward Malet? The noble Lord took good care not to inform them on that point.

Lord EDMOND FITZMAURICE said, he had already stated that it was sent that day.

Sir H. DRUMMOND WOLFF asked at what hour it was sent? Was it sent before or after the question was raised in the House? The noble Lord would not answer.

Lord EDMOND FITZMAURICE said, he was ready to answer. What he said was, that a telegram was being sent, and that he hoped the House would see that the determination of the Secretary of State was quite independent of the discussion in the House. Of course, the Secretary of State felt that his action was greatly strengthened by what occurred in the House.

Mr. STAVELEY HILL asked what was the exact time that the telegram was sent?

Lord EDMOND FITZMAURICE said, he could not say, because he did not know.

Sir H. DRUMMOND WOLFF asked if the telegram was sent before or after the discussion in the House? He thought he had a right to an answer to that question.

Lord EDMOND FITZMAURICE said, he thought he had already answered it. He had said that the determination of the Secretary of State to send a telegram was arrived at before the discussion in the House; in fact, he might, perhaps, inform the House that one of the reasons why he (Lord Edmond Fitzmaurice) was not present at Question time was, that there were no Foreign Office Questions on the Paper, and he was at work on this very matter. He came to the House in the hope that he might state what had been done. He arrived, however, just after the discussion, and then he went back to the Foreign Office and reported to the Secretary of State (Earl Granville) what had happened, and the telegram was then sent.

Sir H. DRUMMOND WOLFF said, he was, therefore, to understand that the telegram was sent after the noble Lord had reported to the Secretary of State what had occurred in the House?

Lord EDMOND FITZMAURICE asked the hon. Gentleman (Sir H. Drummond Wolff) not to misrepresent what he had said. What he had said was, that the determination to send a telegram was arrived at independently of the discussion in the House. When he said a decision was come to, independently of the proceedings of the House, he had no wish to be discourteous to the House. The Secretary of State very naturally felt strengthened in his determination to make inquiries, when he heard what had occurred in the House. As a mere matter of time, he admitted that the telegram was sent subsequent to the meeting of the House.

Sir H. DRUMMOND WOLFF said, he now understood that the determination of the Secretary of State was arrived at at an unknown period, but that the telegram was forwarded after the discussion in the House. Why did not Lord Granville, when he had determined to send a telegram, send it at once? He (Sir H. Drummond Wolff) maintained that there was no telegram sent until the House insisted upon it. The noble Lord (Lord Edmond Fitzmaurice) sought to draw a distinction between Arabi and the other Leaders of the Egyptian National Party, and Suleiman Sami. In the first instance, Arabi and his comrades were accused of complicity in the massacres of Alexandria. But what took place was this—that, on condition that they confessed their guilt of the political offence, they were let off any trial on account of the Alexandria massacres. Suleiman Sami, however, who happened to have in his possession, as he (Sir H. Drummond Wolff) believed, the most compromising evidence against the Khedive and some of his Counsellors, was, in order that the evidence against the Khedive might be concealed, to be hurried on to death, without any interference on the part of Her Majesty's Government, except after discussion in the House. The noble Lord (Lord Edmond Fitzmaurice) appealed to the hon. Member for Carlisle (Sir Wilfrid Lawson) not to insist upon knowing everything about the Court of Trial. He (Sir H. Drummond Wolff) considered that was a question in which the honour of the Government and the honour of the country were at stake. The Government were allowing a man to done to death without inquiring into the circumstances—without receiving any information from the Agents who had been appointed to inquire into the case itself?

Mr. STAVELEY HILL asked, whether the Government knew what were the contents of the *dossier*, and what was the charge on which the man was to be killed?

Mr. MOLLOY said, the noble Lord the Under Secretary of State for Foreign Affairs (Lord Edmond Fitzmaurice) had adopted a habit which was somewhat odd in one so young in Office. Whenever the noble Lord was asked a Question in the House, especially with reference to Egypt, he rose in his place, and, instead of replying to the Question, turned to his interrogator, who was probably much older than himself, and delivered a lecture to him, much in the style of a Professor in a College—for instance, when the noble Lord turned to the hon. Baronet the Member for Carlisle (Sir Wilfred Lawson), and asked him to avoid any further Questions respecting the Government's policy in Egypt. He (Mr. Molloy) was afraid that neither the hon. Baronet nor any other hon. Members would be likely to comply with the noble Lord's request. In reference to the peculiarity of the noble Lord, to which he (Mr. Molloy) had already referred, he might refer to another matter, and it was quite pertinent to the question now before the House. It might be in the memory of hon. Members that he (Mr. Molloy) asked a Question some time ago in regard to Mr. Sheldon Amos. He received no satisfactory answer; but he repeated the Question. At last, the noble Lord came to him privately, and gave him the information, or, rather, offered to give him the information he wanted. The noble Lord would remember that the answer he (Mr. Molloy) returned was—"What use is it now that the whole matter is over?" The matter had then been before the country for weeks and weeks. ["Question!"] Hon. Members would find it was the question. The whole matter had been before the public for weeks and weeks. He had asked the Question with a particular object; but that object, however, was destroyed by the unwillingness of the noble Lord to answer his inquiry. In point of fact, a telegram was sent out, and when the other matters became public, the noble Lord very courteously offered him information in his (Lord Edmond Fitzmaurice's) private room.

Lord EDMOND FITZMAURICE said, the hon. Gentleman (Mr. Molloy) had just said a telegram was sent out. He (Lord Edmond Fitzmaurice) told the hon. Member a telegram was despatched, and that they were waiting for an answer. The Question was merely whether Mr. Sheldon Amos had been employed in a particular manner. The hon. Gentleman was under the impression that Mr. Sheldon Amos had been employed to carry out, in certain districts of Egypt, the new Constitution; and he thought that Mr. Sheldon Amos was a very improper person to employ in such a matter. He (Lord Edmond Fitzmaurice) never believed the facts were as stated; and he did not think it was a sufficiently important matter to put the country to the expense of a long telegram. An ordinary despatch was therefore sent; and, as hon. Members were aware, despatches took some little time in transmission. As soon as a reply came, he at once communicated with the hon. Member, and said if he wished him to answer publicly he would do so. He must remind the hon. Gentleman that it turned out that what he imagined was the case had never happened at all; Mr. Sheldon Amos had simply had certain drafts submitted to him.

Mr. MOLLOY said, he merely stated the fact that they could not get information from the noble Lord (Lord Edmond Fitzmaurice). He considered that much of the difficulty that had arisen was due to the unwillingness to give information on the subject of Egypt which had been exhibited during last Session and the present Session by Members of the Treasury Bench. Now, after lecturing hon. Members in the House, the noble Lord gave an exhibition of inaccuracy which he (Mr. Molloy) thought must have astonished the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and all hon. Members who took an interest in the matter. The noble Lord sought to draw a distinction between the case of Suleiman Sami and Arabi. The noble Lord said the offence of Suleiman Sami was not of a political, but of a criminal character; and then he said that no one on the Treasury Bench ever stated that Arabi Pasha was guilty of crimes which had been laid to the charge of Suleiman. He (Mr. Molloy) would not wonder to find the hon. Baronet the Member for Carlisle astonished when he heard that statement. Some time ago he (Mr. Molloy) asked a Question of the then Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke) regarding Arabi; but it took him (Mr. Molloy) and other hon. Members two months to ascertain from the right hon. Gentleman what the charge against Arabi Pasha was. After the distinction which the noble Lord (Lord Edmond Fitzmaurice) had tried to draw between the cases of Suleiman and Arabi, it might, perhaps, be somewhat interesting to the noble Lord if he (Mr. Molloy) read an extract from a speech of the noble Lord's Predecessor in Office (Sir Charles W. Dilke). The speech in question did more, he would venture to say, to obtain the consent of the House to the prosecution of the war than any other speech which was made at that time. He drew the noble Lord's attention to the following words of his Predecessor:—

"There is no doubt, I fear, that that leader"—that was Arabi Pasha—"was guilty of complicity in the preparations for the attack upon the Europeans in Alexandria on the 11th of June."

At the time he said it, no doubt, he believed it. He (Mr. Molloy) was not imputing to him a desire to give false information to the House; but the fact was pertinent to the case. The hon. Baronet, at that time, certainly questioned the statements of the right hon. Gentleman, and Lord Dufferin had since examined into the matter, and had stated, on his own part, that Arabi was not guilty. [Mr. GLADSTONE: No, no!] The Prime Minister said "No, no!" But he (Mr. Molloy) would venture to say that those who read the statement of Lord Dufferin could only come to one conclusion — namely, that he believed Arabi was not guilty of the massacres of the 8th of June. If he was guilty, and the Government believed him to be so, why was it they followed the course they did? If Lord Dufferin had admitted that Arabi was not guilty, why had the Government prosecuted him, and why, having prosecuted him, had they not pardoned him? These two cases ran in an exact parallel. In the case of Arabi, the Khedive, with that miserable duplicity which had marked him during the whole of his career, first induced Arabi to take the action he did, in defending his country against us, and then, taking the hand on which he could win, threw Arabi over, and left him to be condemned by the authorities by whom he was tried, and by whom he would have been executed but for the intervention of this country. What was Suleiman's case? It had been stated not only in this House, but by the highest authorities outside, and it had, practically, never been denied, that Suleiman had in his hands evidence that would be awkward in the last degree to the Khedive. He knew that the Khedive was as *particeps criminis* in what had taken place as Arabi was. The Government had taken up a new line of policy in this matter, because, last year, when he had put a Question about it, the Government had said it was understood that Arabi would not be executed without the full consent and approbation of the British Government; and now, this year, they said Suleiman had been tried by an Egyptian Court Martial. The noble Lord (Lord Edmond Fitzmaurice) had not informed them by whom the Court Martial had been appointed. Had it been appointed by the Khedive? If it had been, he should like to ask the further question, was it likely that the Khedive would appoint one which would deal out that equal justice that everyone was entitled to? The statements which had been now made had been made not only in the House, but all over the country, and in every foreign country—namely, that the Khedive was the man who had appointed the Court Martial to try the man who was believed by many to have in his possession knowledge which, if it were made known, would be very disagreeable to the Khedive. It was all very well for the noble Lord to say it was not for the Government of England to interfere in the affairs of Egypt; it was all very well for him to say, "This is a matter for the Egyptian Government alone." It was folly to say this and to talk about the Khedive having authority in Egypt. He wore the Crown, and enjoyed a golden repose; but who pulled the string? There was no doubt at all that he was the nominee of this Government. It was as well known in Egypt, as in this country, that the Khedive had no power except that which received the approbation of the British Government. The whole point of the case was this—that during the events which occurred in Egypt accusations of the wildest character were made on all sides; but that it had been stated, and never denied, that evidence of a very disagreeable character was in the possession of Suleiman Sami. [*Laughter.*] The right hon. Gentleman the Prime Minister laughed at this, and may be it was not true; but, whether that was so or not, it was believed by most people. It was believed in the Khedive's own country; nay, he would go so far as to say that it was believed in the Khedive's own family. The point he wished to put before the Government was this—and he did not wish to attack them, or offer obstruction to a policy with which some hon. Members disagreed—whether they ought not, at the eleventh hour, to take a course which many believed they ought to have taken a long time ago—namely, to lay the evidence taken at the Court Martial before the proper authorities in England, so that if the execution took place it would be with their full knowledge of the circumstances.

Sir HENRY HOLLAND said, he was sure a great deal of time had been wasted in this matter. What the House desired to know was, whether the Government would not telegraph out to Egypt to stop for a few days the carrying out of the sentence? The matter was one of life and death, and there could not be any doubt that if Her Majesty's Government sent such a telegram, their request would be granted. Earlier in the day the Prime Minister said he would make some inquiry into the case; but, since that time, they had never had any statement from the Government, as to what steps had been taken.

Mr. GLADSTONE: I never said that.

Mr. WARTON: Oh!

Mr. GLADSTONE: That is so. An hon. Member says "Oh!" He contradicts me by saying that, and he has no right to do so. He goes beyond the limit of controversy in doing so.

Sir HENRY HOLLAND said, he did not desire to contradict the right hon. Gentleman; but he was sure he was right in saying that the Prime Minister had stated that some inquiry would be made.

Mr. GLADSTONE: I said we would use the utmost diligence in placing ourselves in the fullest possession of the facts of the case.

Sir HENRY HOLLAND said, he was speaking to Gentlemen of common sense, and he asked what could that mean but that the Government would make inquiries? How could the Government put themselves in possession of the facts without making inquiries? There was no doubt that the Government could, if they chose, stop the execution. They had said they would inquire into the matter—that was to say, that they would use the utmost diligence in placing themselves in the fullest possession of the facts. But was there much use in doing that when the man was dead? They had done nothing more than telegraph to Sir Edward Malet. [Sir H. Drummond Wolff: No.] He believed they had done so; but the House had very little information upon the matter. The noble Lord had said the Government had not got the terms of the telegram; but it was obvious, from the little that had been said, that the Government must doubt somewhat of the justice of the proceedings. They might not have very strong doubts, but they clearly had some doubt as to the regularity of the proceedings which had brought about Suleiman Sami's condemnation. They had heard from the noble Lord himself that there were doubts existing on this point.

Lord EDMOND FITZMAURICE: I said I had seen it stated in the newspapers. I know nothing about it.

Sir HENRY HOLLAND continued, that it was also broadly hinted that Suleiman had wished to bring forward evidence in his defence, but had not been allowed to do so. He was not saying whether the proceedings were regular or irregular; but there was no question that the Government had had some doubt about it. All they had asked from the Government, and all they desired to hear from the right hon. Baronet who was about to address them was, why the Government, having this feeling, and having taken one step in telegraphing to Sir Edward Malet, had not taken the further step of asking the Khedive, not to stop the execution, but to delay it for a few days in order to give time to consider whether it should be carried out?

Sir CHARLES W. DILKE: The step the hon. Baronet opposite (Sir Henry Holland) advises would be a new departure, and would virtually be the undertaking, on our part, of the control of the affairs of Egypt. Our interference in the case of those prisoners who were captured by the British arms—Arabi Pasha and his companions—was a wholly different matter. If we were to undertake to reverse the sentence or suspend the execution of a man who was concerned in pillage and incendiarism, we should be undertaking an interference in the affairs of Egypt which we have not done hitherto. The hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff) says Her Majesty's Government are careless and indifferent in this matter. Well, the telegram from Sir Edward Malet, saying Suleiman Sami was to be executed, was dated 4.30 p.m. yesterday afternoon, and was received in London at 4.35 p.m. It was received by the Permanent Under Secretary for Foreign Affairs, and it was suggested to the Secretary of State that Sir Edward Malet should be communicated with, and questioned as to our relations with the Government of Egypt on this case. Lord Dufferin was seen late yesterday evening, and consulted as to the form these questions should take, and a decision to communicate as to whether there was a case for inquiry as to matters of fact was arrived at late last night or early this morning; but it had no reference whatever to the proceedings of the House here at 2 o'clock.

SIR H. DRUMMOND WOLFF: Why was not the telegram sent out at once?

SIR CHARLES W. DILKE: It was sent out as soon as it could be; but the hon. Gentleman has sufficient knowledge of telegrams, surely, to know that they mostly require to be sent in cypher, and that cyphering is a slow process.

SIR H. DRUMMOND WOLFF: You have a large staff of resident clerks to do it.

SIR CHARLES W. DILKE: I say the telegram from Sir Edward Malet was received very late in the afternoon, by the Permanent Under Secretary; that Lord Dufferin was seen about it last night; and that Lord Granville's decision was taken upon it at the commencement of Business this morning. Surely the House will be prepared to accept that statement, as showing that there was no unreasonable delay in the matter. The hon. and learned Member for West Staffordshire (Mr. Staveley Hill) asks me on what charge Suleiman Sami was tried and condemned? The charge was that of incendiarism and pillage. The hon. and learned Member asks—"Had we any reason to believe he was guilty of these crimes?" Well, Major Macdonald watched all these cases—cases of a political kind, and of murder, pillage, and incendiarism, growing out of the disturbances in Egypt—to see justice done. He watched this case, and if the charge not been proved he would have seen Sir Edward Malet, and we should have known Sir Edward Malet's opinion of the matter. But we have had no statement of that kind from Sir Edward Malet. The hon. Member has suggested, that which has found a place in almost all the speeches of hon. Members who have addressed the House against the Government—namely, that Suleiman Sami is in possession of evidence that would implicate the Khedive in some of the unfortunate events which occurred in Egypt. Now, that is a repetition of the monstrous charge against the Khedive made in this House in the course of another debate this afternoon. The hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff) seemed to wish that Lord Dufferin could appear at the Bar of this House to make a statement. Lord Dufferin is a Member of the other House, not of this.

SIR H. DRUMMOND WOLFF: I did not say what the right hon. Baronet imputes to me.

SIR CHARLES W. DILKE: I say the hon. Gentleman seemed to blame the Prime Minister for not making a statement on behalf of Lord Dufferin. Lord Dufferin is a Member of the other House of Parliament; and, no doubt, will make his statement there. As to the monstrous charge that Suleiman Sami is in possession of information which would implicate the Khedive, I can only say that Major Macdonald has been in frequent communication with Suleiman Sami, and that if Suleiman Sami had been in possession of such information he would have given it, and such a remarkable piece of intelligence would have been sure to be reported to Her Majesty's Government. There has never been any such information, or we should have heard of it. I was talking to Lord Dufferin this afternoon, while the debate was going on; and he said that, in his opinion, he had never heard more absolute nonsense than the charge that the Khedive himself was responsible for the massacres of Alexandria. He pointed out to me that, at the time the massacres occurred, the Khedive himself was virtually a prisoner in Alexandria, and was in daily fear for his life; that his life had been almost attempted by mutinous soldiers; and that his wife and children were in the hands of mutinous soldiers. So far from being able to instigate massacres, he was not exercising authority at the time, but was a prisoner in the hands of Arabi; and, if nothing else could clear him of the charge, the fact that his own position would have rendered it impossible for him to have exercised authority of that kind would do so. The hon. Member for King's County (Mr. Molloy) has asked that the evidence in this case should be brought before the British authorities. Sir, the evidence in this case has been brought before the British authorities. An agent of the British Government has always been present at the trials—

at all the trials that have recently taken place—and has reported what has occurred to Lord Dufferin and Sir Edward Malet. The evidence as to these trials, therefore, is in the hands of the Government at the present moment. If Major Macdonald had reason to believe that Suleiman Sami had evidence in his hands that would have been awkward to the Khedive, Major Macdonald, no doubt, would have reported the circumstances to Her Majesty's Government. But the thing is altogether absurd and ridiculous; and I cannot help thinking that for a charge which is known to be absurd and ridiculous, both in England and Egypt, no matter how it is brought forward, to be raked up here to-day, must be productive of evil effects upon the future Government of Egypt. I cannot express to the House the regret which I myself feel—and I am quite sure I can also speak for Lord Dufferin—at having heard this charge made in the House of Commons. In foreign countries, and especially in Eastern countries, there is a difficulty in discriminating between charges made in one quarter and the other in the House of Commons. I fear that not only the personal position of the Khedive, but the position of the Government of Egypt, and the general fabric of society in that country, will be weakened by the charges which have been made. I cannot but think that hon. Members will feel the weight of the responsibility resting upon themselves, when they make lightly, and with no evidence, charges of actual complicity in murder, and charges of murder against a man who, by his misfortunes, has been recommended to our consideration.

Lord HENRY LENNOX said, he had no intention of taking part in this debate when he came down; but after the speeches of the noble Lord the Under Secretary of State for Foreign Affairs (Lord Edmond Fitzmaurice) and the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), he felt bound to state what he had long wished to state, and could state upon his own personal knowledge. The noble Lord had said there was a broad distinction between Suleiman Sami and Arabi Pasha; because the one was charged with criminal offences, such as arson, murder, and pillage, while the other was charged simply with political crimes. Last autumn he (Lord Henry Lennox) was in Cairo; Arabi Pasha was then on his trial, and his life depended on the English Government; and he having said he wished to see a Member of the British Parliament, if there was one in Cairo at the time, that request was conveyed to him (Lord Henry Lennox) by Mr. Napier, the English counsel in charge of Arabi's defence; and, in consequence, he wrote that he could give no opinion on any question connected with Egyptian affairs; but, if Arabi wished to see him, he would be willing to wait upon him. He went to the gaol; but he was informed, in writing, by the Minister for War in Egypt, that he could not allow him to have an interview with Arabi, because he was not a political prisoner, but was in prison on a charge of such crimes as arson, murder, and pillage. He had that intimation now, and he also had, in Arabi's own writing, a statement of his regret that he had not been allowed an interview with a Member of the British Parliament, seeing that he was on trial for his life. Therefore, he thought the noble Lord was rather mistaken in drawing a distinction between Suleiman Sami, who was condemned to death for the massacres in Alexandria, and Arabi Pasha who, when he (Lord Henry Lennox) was in Cairo, was expected to be sentenced to death, not only for what he had done against the Queen's troops, but for what he had done in Alexandria.

Sir GEORGE CAMPBELL said, he thought it was seriously to be regretted that this solemn question, upon which a man's life was hanging, should have been made the occasion for an heated Party attack both on Her Majesty's Government and on the Egyptian Government. This remark he made upon the action of the hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff), and in no degree upon the question raised by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), who was entirely within his rights, for he had raised the matter in a perfectly fair spirit. At that time of night, he (Sir George Campbell) should not discuss the several points involved in the statement of the noble Lord the Under Secretary of State for Foreign Affairs (Lord Edmond Fitzmaurice); but he wished to make a suggestion to the Government. The House had been informed that inquiry had been made of Sir Edward Malet, as to whether he thought this prisoner had had a fair trial or not, and whether he had been fairly condemned; but he would suggest that the Government should take steps to stay the execution of this man, if Sir Edward Malet expressed any doubt upon the matter.

MR. WARTON said, that, according to a report in an evening newspaper, the Prime Minister had said that the Government had received a telegram, stating the facts of the condemnation of this person. They had not yet got any information from their own Representative on the spot, which would enable them to arrive at any decision on those facts; but every inquiry would be made.

BARON HENRY DE WORMS thought that, in a question of this kind, with a man's life pending, the Government ought not to shelter themselves behind distinctions which were not differences. The right hon. Baronet the President of the Local Government Board (Sir Charles W. Dilke), in answer to a Question put to him last year, had referred to Arabi Pasha as having been guilty of crimes which took him out of the category of political criminals; and if that was the case, it seemed to him that the case of Suleiman Sami and the case of Arabi Pasha were on all-fours. He could not see the distinction which the Government drew, especially as the trials had been the same. The right hon. Baronet had drawn another remarkable distinction, for he had said that Arabi Pasha belonged to the category of prisoners who had been captured by the British Forces, and was not in the same position as Suleiman Sami, and others who had been taken prisoners by the Egyptian police. If that was so, by what right had the British Government allowed a British officer to be present at the trial of Suleiman Sami? By that course, they had assumed the same responsibility as in the case of Arabi Pasha; and it was a pitiful exhibition to see them taking shelter under such a distinction, at a moment when the rope was round the neck of this unfortunate man.

SIR R. ASSHETON CROSS said, he had quite understood the words of the Prime Minister at the Morning Sitting, in the sense in which they had been taken by the hon. Baronet the Member for Midhurst (Sir Henry Holland). Just before 7 o'clock, he (Sir R. Assheton Cross) had asked the Government to undertake that further inquiry should be made; and he understood from the Prime Minister that that would be done. He, however, entirely agreed with what the hon. Member for Kirkcaldy (Sir George Campbell) had said. They were now discussing this very intricate question; but, in the meanwhile, Suleiman Sami's life was hanging upon a thread; and what he wanted to know was, whether the Government would do their best—although it might, perhaps, be too late—by at once sending a telegram requiring that, if our Representatives in Egypt had any doubt as to whether the trial had been a fair trial, the execution should be deferred? Would they do that, or would they not? If they would not, and the trial should turn out to have been unfair, the blood of this man would be upon their heads.

MR. GLADSTONE: After the appeal of the right hon. Gentleman opposite (Sir R. Assheton Cross), it is, perhaps, right that I should ask leave to say a few words. I have no doubt whatever about the words that I used. Undoubtedly, I stated that we would make further inquiries; but I understood the hon. Baronet the Member for Midhurst (Sir Henry Holland) to refer to some supposed pledge of mine that there should be further inquiry made in Egypt. [SIR HENRY HOLLAND: I did not at all mean that.] That is distinctly what I gathered, and I stated that we would take measures to put ourselves in a position to answer any questions on the merits of the case. The hon. Member for Greenwich (Baron Henry de Worms) says that the cases of Suleiman Sami and Arabi Pasha are upon all-fours. I hold that they are fundamentally different. The case of Arabi Pasha was that of a man who surrendered himself to our troops, and was by us handed over to the Egyptian authorities.

BARON HENRY DE WORMS: What I said was that, according to the statement of the late Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke), the cases were on all-fours, because he said that Arabi Pasha was guilty of a criminal offence.

MR. GLADSTONE: My right hon. Friend said exactly the reverse of that. We evidently had a direct and an immediate responsibility with regard to the methods of procedure adopted towards those of whose persons we had become possessed in the course of the military operations, and who never could have been brought to justice by the Egyptian authorities at all except through our agency; and with regard to those we had a responsibility totally different from any responsibility that could attach to us in respect to persons who were arrested by the Egyptian Government in the exercise of their functions, without any assistance whatever from us. It is quite true that Major Macdonald, in whom we have every confidence, had been charged—I will not say with the supervision, because that implies authority, but with the consideration of the circumstances which have been described in regard to the trial; but the business upon which we went to Egypt was to restore the Egyptian Government. That was a work which did not take place by a single formal act; it was to be effected by several steps, governed by good sense and judgment. I think we may fairly argue that we did not think it right to ignore our consideration and observation of the prosecution of criminal justice in Egypt in matters connected with the war, although we stand in a totally different footing with regard to Suleiman Sami from our position in regard to Arabi. With respect to those whom we had delivered into the hands of the Egyptian Government, we deemed it our duty to lay down positive conditions under which a fair trial was to take place. With regard to the present case, I do not greatly complain of the tone adopted by the right hon. Gentleman opposite (Sir Stafford Northcote). He carefully guarded himself against asserting any doctrine of positive interference. What he stated was that we could not divest ourselves of all responsibility. To that extent I am disposed to go with the right hon. Gentleman; but the limit of our responsibility, as we view it, is this—that we are not to interfere, except in cases where there was, or had been, either a palpable departure from the rules of justice, or some strong presumption that there has been a miscarriage of justice. On all these questions we shall form our judgment mainly through the representations of our able and trustworthy agents in Egypt. These considerations are distinctly applicable to the present case. We know that Major Macdonald is cognizant of the whole of these proceedings, and that he is a man who we know would perform his duty; but he would have grossly departed from his duty if, observing a miscarriage of justice, he had not reported that miscarriage to us. Major Macdonald and Sir Edward Malet we consider as standing in the same position; they are bound to communicate with one another upon all the important interests that are involved in questions of this kind; and the evidence we derive from the statements of Sir Edward Malet is precisely to the same effect as that which we draw from the fact that Major Macdonald takes no objection to the proceedings in this trial—namely, that there is no presumption of a miscarriage of justice in this case. That being the case, my answer to the right hon. Gentleman is, that while we would freely interfere, if we had reason to believe that there had been a violation of the rules of justice, we distinctly decline to interfere when the information which we receive from our agents on the spot is to the effect that there has been no such miscarriage of justice. And this I must say, in corroboration of my right hon. Friend, is from no selfish or idle idea of exempting ourselves from responsibility. It is from a deep consideration of what is necessary for the welfare of Egypt. We have given certain assurances to the Government of Egypt, and to all the world at large. We have stated that our intervention in Egypt is limited by the necessities of the case, and that we have not gone there to make ourselves governors of the country. Our object has been to re-instate the Government of that country in credit, security, and stability. If we are to redeem that pledge which we have given—and that is as much required by sound policy as by honour and good faith—we must beware of taking such measures as would be suggested by the hon. Member for Portsmouth, and of pursuing a course which would paralyze the Government of Egypt, and, upon grounds which we think most frivolous, discredit that Government in the eyes of its own subjects; and revive all the difficulties and dangers which it has cost this country so much to neutralize and put aside, and cover ourselves and the whole country, in my opinion, with the discredit of well-deserved failure. That is the line which the Government have determined to to take. It appears to us that our duty is marked out clearly by considerations on the one side and on the other, and we are by no means disposed to apply any abstract doctrines to this case. We shall be governed by those motives which sound policy and justice dictate; and, acting on that principle, we say that, because we do not find any evidence to show a miscarriage of justice, we decline to interfere with the discretion of the responsible authorities in Egypt.

MR. SEXTON said, the conduct of the Government in this matter was wretched and revolting in the extreme; and the verdict of all rational and impartial men would be that this Liberal Government chose that this unfortunate human life should be sacrificed that morning, rather than materials should be given in that House and the country to call in question their miserable policy. Suleiman Sami must be shot or hanged that morning, rather than the world should know the inner circumstances and facts of the policy of the Khedive, and of his backers and champions in England. There had been two men chiefly concerned in that business—Arabi Pasha and Suleiman Sami. They stood before the Government of Egypt precisely in the same position; they were both guilty, practically, of the same offence; and this miserable Government, the Government of that puppet in Egypt, set up by a Liberal Administration in England, got rid of one inconvenient person by putting him out of his native country; and now they proposed to get rid of another inconvenient person by putting him out of life. Was it by the bullet of the platoon, or by the rope of the hangman, that this Liberal Government hoped to preserve its character? Major Macdonald had not reported that there had been any infraction of justice. Who was this Major Macdonald? Was the conscience, and honour, and position, and power of a great Liberal Government in England to be placed in the hands of an obscure and unknown Major of Infantry? Major Macdonald knew his business too well to report anything which might in any way show that Suleiman Sami and Arabi were the political agents of the Khedive when he thought he could do without England. When the turn of the tide went against the Egyptian movement, Suleiman Sami, as well as Arabi, was to be given up. Major Macdonald was a regimental officer who knew all the ins and outs of the Service; and he was not so great a fool as to embarrass the Foreign Office and the present Liberal Government by reporting anything whatever concerning these high matters of State policy, which, according to the common sense and belief of the civilized world, rested in the hands of Suleiman. A miserable attempt had been made, both by the right hon. Baronet the late Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke) and by the Prime Minister, to distinguish between the cases of Arabi and Suleiman, because Arabi fell a prisoner to the British arms, and Suleiman did not. What distinction could there be between the two cases? If British arms had not gone to Egypt, if British arms had not overborne the wills of the Egyptian people and the power of the unfortunate Arabi, the dupe of the Khedive; if British arms had not gone there and destroyed the hopes of that people, into whose arms would Suleiman have fallen? Not into the arms of anyone in the world. Constructively, if not actually, he had fallen a prisoner into British arms; and if British arms had not gone to Egypt, and if British policy did not now control the miserable Ruler of that country, Suleiman Sami, instead of dying the death of a criminal that morning, would be a Minister of State in Egypt. It was idle, it was vain, for Her Majesty's Government to attempt to get rid of the responsibility. All the difference between the possible position of Suleiman Sami as a Minister of State in Egypt and his actual position as a criminal, according to the laws of the Khedive, rested upon Her Majesty's Government's rules and upon their policy; and all the water in the seas could not wash from their hands the blood of that unfortunate man. What story was the House to believe from the Treasury Bench? Time had been shamefully lost. The Government knew, as they all knew, as the public of this country knew at an early hour yesterday (Friday) morning that that unfortunate man was to die. What course did the Government take? The House had been treated to the recital of two narratives. They had had that of the noble Lord the present Under Secretary of State for Foreign Affairs (Lord Edmond Fitzmaurice), and they had had that of the right hon. Baronet the late Under Secretary of State for Foreign Affairs. Which story were they to believe? The late Under Secretary of State informed the House that Lord Dufferin was seen last (Thursday) night and early to-day (Friday)—a curious combination—and that a Resolution was arrived at. Now, was it arrived at last night or early to-day? Or was it arrived at both last night and to-day? When the right hon. Gentleman was pressed as to the hour at which the telegram to Egypt was despatched, he informed the House that the telegram had been drafted, that the clerks had been assembled to place that single telegram in cypher, that that occupied a considerable time—how many minutes or hours he left hon. Gentlemen to speculate. The right hon. Gentleman would have the House to believe that the action of the Foreign Office was taken before the good feeling and humanity of the House interfered in the matter; he would have them believe that the delay in the despatch of the telegram arose not from any vacillation or indisposition in the mind of the Foreign Office, but because of the incapacity of the clerks of that establishment to put the telegram into cypher. The noble Lord the present Under Secretary of State informed the House that he was absent from the House at half-past 2 to-day (Friday), because he was engaged in considering this very matter in regard to which the clerks, according to the right hon. Gentleman (Sir Charles W. Dilke), had been engaged all day in putting the telegram into cypher. It was perfectly evident, from the story of the noble Lord, that when he went back to the Foreign Office at 3 o'clock, Lord Granville had not made up his mind, and that the telegram was not then drafted. Indeed, it was quite plain that the Foreign Office had not arrived at any decision until the force of that House impelled it. The Prime Minister had admitted that the task of the British Government in Egypt was to restore the Government of the Khedive. It was evident to the world that the Khedive was the puppet of the British Government. It was evident that a telegram from the Prime Minister, or from the Foreign Office, would respite the life of that political dupe, so far as to enable inquiries to be made. He must question the reply made by the Prime Minister to the hon. Baronet the Member for Midhurst (Sir Henry Holland). He distinctly heard the right hon. Gentleman say that inquiry would be made, and that the Government would feel it their duty to put themselves, as far as possible, into possession of the facts of the case, so that they might satisfy themselves, whether the trial had been fair and honest. From the position taken up by the Prime Minister earlier in the day and now, it was apparent that they were not in possession of sufficient facts to decide whether that man ought to be executed or not. Admitting this Major Macdonald, this obscure military gentleman, to be a competent judge of high policy, he could not admit the responsibility of the Government to be shifted upon the shoulders of this Major of Infantry; and he called upon the Government, in the name of humanity, justice, and common sense to possess themselves of the real facts of the case. He supposed it was now 3 or 4 o'clock in Egypt. If they shot that man at sun-rise, he was now within two hours of his death. Suleiman Sami was the victim of the Government policy, and the responsibility of his blood would for ever lie on the heads of that Liberal-Radical Government.

Mr. W. H. SMITH said, he thought the House would be right in dividing upon this question, as a protest against the course which had been taken by Her Majesty's Government. The question whether this man was justly or unjustly sentenced to death was one which was certainly of the greatest possible gravity, looking at the position England now occupied in Egypt. The right hon. Gentleman the Prime Minister had sought to draw a great distinction between the case of Arabi and the case of Suleiman. His (Mr. W. H. Smith's) view was that the country, at all events, would not see that there was any great difference in the responsibility of this country with regard to the trial of the two men. It might be that Suleiman had been found guilty justly. Arabi was handed over, undoubtedly, by the officers of the British Army to the authority whatever it was, which existed in Egypt; but the authority which existed in Egypt existed, at the present moment, by virtue of the British arms. The British Army maintained the authority of the Khedive in Egypt; and it could not but be remarked with what extraordinary rapidity the sentence upon Suleiman Sami was to be carried out. He was not aware whether it was a course which was usual in Egypt; but, certainly, it was a course which struck him as being a most extraordinary one—namely, that a man should be tried and found guilty on Thursday, and executed probably at daylight on Saturday. There did not appear to be time for Her Majesty's Representative in Egypt, assuming he was doing his duty, to satisfy himself that everything had been done that ought to be done; there was not time for the British Representative in Egypt to communicate with Her Majesty's Government, and bring to bear that influence which it was the duty of the Government to bring if wrong had been done. He was far from saying that wrong had been done; but, undoubtedly, the position which Her Majesty's Government occupied in Egypt was such that they were bound to see that wrong had not been done, and the rapidity with which the sentence was to be carried out was such as to leave a dreadful responsibility upon the Government. Under the circumstances, he considered it was the duty of the House to divide upon the Question, "That Mr. Speaker do now leave the Chair," simply as a protest that, in the judgment of the House, it was incumbent upon Her Majesty's Government to have satisfied themselves that the verdict was a just one.

Main Question put.

The House *divided*:—Ayes 97; Noes 58: Majority 39.—(Div. List, No. 123.)

SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*The Marquess of Hartington.*)

SIR H. DRUMMOND WOLFF wished to know why Progress was to be reported at that hour? Hon. Members ought to know, before the Motion was agreed to, whether or not it was intended to go on with the Lords Alcester and Wolseley Annuities Bills.

THE MARQUESS OF HARTINGTON said, he had made the Motion, because he was afraid the House would consider it too late to go on with those measures.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

REGISTRY OF DEEDS OFFICE (IRELAND) BILL.—[BILL 202.]

(*Dr. Lyons, Mr. Maurice Brooks, Mr. Findlater.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Amendments made.

Motion made, and Question proposed, "That the Chairman do now report the Bill, as amended, to the House."

MR. HEALY said, he wished to know if the Government would object to having the Bill re-printed? While the Irish Members assented to the principle of the measure, they would like to see what Amendments had been made in it before the Report stage was disposed of.

MR. COURTNEY, in reply, said, that it was hardly worth while going to the expense of having the Bill re-printed. The Amendments had only been for the purpose of correcting an obvious oversight, by which Christmas Day had been left out of the list of holidays which the Bill was to give the clerks of the Irish Registry of Deeds Office.

Question put, and *agreed to.*

Bill *reported*; as amended, to be considered upon *Monday* next.

DRAINAGE (IRELAND) PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. COURTNEY, Bill to confirm certain Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. COURTNEY and Mr. TREVELYAN.

Bill *presented*, and read the first time. [Bill 220.]

YORKSHIRE REGISTER ACTS AMENDMENT BILL.

On Motion of Mr. PEASE, Bill to amend the Yorkshire Register Acts, *ordered* to be brought in by Mr. PEASE, Mr. NORWOOD, and Mr. BARRAN.

Bill *presented*, and read the first time. [Bill 221.]

House adjourned at a quarter after Two o'clock till Monday next

HOUSE OF LORDS,

Monday, 11th June, 1883.

MINUTES.]—*Sat First in Parliament*—The Lord Castletown, after the death of his father; the Lord Haldon, after the death of his father; the Lord Chesham, after the death of his father; the Earl of Guilford, after the death of his grandfather.

PUBLIC BILLS—*Second Reading*—Marriage with a Deceased Wife's Sister (56); Lands Clauses (Umpire)* (71).

Committee—Report—Pier and Harbour Provisional Orders* (68)

Third Reading—Local Government (Ireland) Provisional Orders* (64); Constabulary and Police (Ireland) (Pay and Pensions)* (75), and *passed.*

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI—THE TELEGRAM.—QUESTION.

EARL DE LA WARR asked the Secretary of State for Foreign Affairs, Whether he could state the terms of the telegram sent to Sir Edward Malet relative to the trial of Suleiman Sami, and also the reply of Sir Edward Malet?

EARL GRANVILLE said, he would present the telegrams to their Lordships with some other Correspondence on the subject.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 56.)

(*The Earl of Dalhousie.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DALHOUSIE, in moving that the Bill be now read a second time, said: My Lords, I need detain your Lordships but a very few moments. This Bill has already been brought forward three times during the last four years; and it is barely a year since it was last before the House. I then had the honour of stating at some length its object and the grounds on which it is based; and I really think it is quite unnecessary that I should now take up your Lordships' time in going over arguments with which you are already familiar. These arguments, in my opinion at least, have never yet been answered, and certainly were not answered last year in this House. There was one very remarkable feature in last year's debate. Only two Members of your Lordships' House spoke against the Bill, the noble Lord who led the Opposition (Lord Balfour) and the right rev. Prelate (the Bishop of Peterborough). The noble Lord based his objection mainly, or to a large extent, upon the Book of Leviticus, and he explained to the House how that Book ought to be interpreted. But the right rev. Prelate frankly and boldly declared that, for his part, he was unable to take what he called the high theological or Scriptural view of this question. He disclaimed not merely the Levitical argument, but the entire Scriptural and theological argument, and, as your Lordships will remember, confined himself to an eloquent protest against what he termed the eviction of sisters-in-law and their re-admission as caretakers. Now, the right rev. Prelate is by no means singular in his belief that marriage with a deceased wife's sister is not forbidden in Scripture. No less than 1,300 of the English clergy, including nearly 30 Bishops and Archbishops, and 300 of the Scotch clergy, have, at one time or another, made a similar declaration. But I think that this striking difference of opinion in regard to a most important point on the part of two such eminent opponents of this measure ought not to be forgotten by your Lordships. I may also remind the House that last year the Bill was only rejected by a very narrow majority in a very large division. The numbers were 131 to 128. There was, in fact, an actual majority of 12 lay Peers in its favour. But, unfortunately, the great majority of the right rev. Bench is on this question in opposition to the majority of lay Peers, and the Bill was rejected because 16 right rev. Prelates voted against it. It is, and always has been, an uphill struggle for the supporters of this Bill, owing to the fact that there is invariably cast into the scale against them the votes and influence of the Spiritual Peerage. Although the right rev. Bench is not unanimous, there are at this moment only two right rev. Prelates in favour of the Bill. They are very strongly in its favour; but every one of their right rev. Brethren votes against it in this House, and nearly every one works against it in his diocese. They have been unusually active during the past year. Convocation has adopted what is called an *articulus cleri* condemning the Bill. At 12 Diocesan Conferences at which the Bishop of the diocese presided, the question of marriage with a deceased wife's sister was placed in the forefront of the programme, and strongly-worded resolutions were passed upon it. So also, at ruridecanal meetings all over the country. Several right rev. Prelates have issued pastoral letters to their clergy requesting them to preach against the Bill; to promote Petitions against it, and do whatever they could to rouse their congregations and people to opposition. In obedience to these instructions many sermons have been preached against the Bill, some of them containing very strong language, and many individual clergymen have acted as agents throughout the country to obtain signatures to Petitions. I am very far from saying that right rev. Prelates ought not to make these efforts if they think these marriages are wrong. I do not, however, understand why they should be so anxious to prevent them in this country, when they made no protest against the ratification by the Crown of the Canadian Act of last year, which made them legal in Canada; but I do not complain of their using their great influence in whatever manner they think right. My object in alluding to the action of the right rev. Bench is to point out that in two respects it is very misleading—first, because people, seeing how large a majority of right rev. Prelates oppose this Bill, are apt to conclude that therefore the Bill must contain something very shocking to religion and morality; and, secondly, because they naturally suppose that all good Churchmen, as a matter of course, have always been, and ought of necessity to be, hostile to this measure. Nothing could be more untrue than that. The names of Archbishop Whately, Dean Hook, Dr. Coplestone, the Bishop of Llandaff, Bishop Lonsdale, Dr. Vaughan, and the present Bishops of Ripon and Worcester, and of many other distinguished men, are sufficient proof to the contrary, and ought besides to be some guarantee that neither religion nor morality is in danger. Nevertheless, there can be no doubt that a vague feeling exists that the object of this Bill must be wrong, and many people decline even to examine the question, simply because so many right rev. Prelates are opposed to it. I said I would not trouble the House with any repetition of the well-known arguments in favour of this Bill, and I have no intention of doing so. I believe your Lordships already know them so well that you will prefer to hear from the noble and learned Earl what can be said against them. I may, perhaps, have something to add before the debate closes; and if any noble Lord should require further information on any matter connected with the Bill, I shall only be too happy to give it. But, in the meantime, there are just two points which I will briefly mention. The ratification by the Crown of the Canadian Act of last year, by which marriage with a deceased wife's sister became duly legal in Canada, leaves the British Empire, with its 9,000,000 square miles of territory, in this position. Over an area of 6,600,000 square miles these marriages are absolutely legal; over an area of 2,000,000 square miles they are conditionally legal; but over an area of 121,000 square miles—that is to say, in the United Kingdom, and there only—they are positively illegal. As regards the United Kingdom, this is, perhaps, not quite accurate, for the law in Scotland is doubtful. The Act of 1835 did not apply to Scotland; and the highest living authority, Lord Fraser, is of opinion that if a case were now tried in Scotland, it would probably be found that marriage with a deceased wife's sister is at this moment legal there. But of this point there is no doubt—namely, that if a man marries his deceased wife's sister in Canada, Australia, or any part of our Colonial Empire where these marriages are expressly permitted by the Statute Law, and the parties should afterwards return home to the Mother Country, they would, on landing in England, cease to be man and wife; and, so far as the law is concerned, the man would be at perfect liberty to desert his wife and children and marry another woman. The other point was one which was raised last year by the same right rev. Prelate who so fearlessly and emphatically proclaimed his inability to oppose this Bill from the high theological or Scriptural standpoint. The right rev. Prelate said that even if the Bill did bring those advantages which its supporters claimed, those advantages would be terribly dearly purchased by the social evil, the immoral laxity, and the wild disturbance of the social relationships which the Bill would provoke. Now, my Lords, I should have thought that the experience of England and Ireland prior to 1835 ought to be sufficient to re-assure those who might otherwise be inclined to anticipate, as a result of this measure, a falling-off in the purity of our domestic life. The experience of our Colonies during the last 10 years is an additional guarantee. But, if that be not sufficient, let us look at the United States of America, in nearly all of which marriage with a deceased wife's sister has been lawful from the beginning. I believe it is generally admitted that in no part of the civilized world does there exist a higher standard of domestic purity and morality than the New England States. Yet the marriage which this Bill proposes to legalize has long been legal there and frequently takes place. I know it is sometimes said that divorce is frequent in America, and it is argued that the frequency of divorce is due to a relaxed Marriage Law; and that if we relax our Marriage Law, divorce will soon become frequent here. I hardly know whether to admire more the ingenuity or the want of logic in that argument. It is quite true that divorce cases are numerous in America, but that has nothing whatever to do with the Law of Marriage. It is the effect of the Law of Divorce. In some of the States a divorce can be obtained with great facility. It is often granted merely on the ground of incompatibility of temper. Therefore, it is not wonderful if divorce cases are of frequent occurrence. But their frequency has nothing to do with the Law of Marriage; and it is perfectly ridiculous to say that if we relax our Marriage Law—that is, if we do not by Statute Law prevent a man, after the death of his wife, from marrying her sister—we shall multiply the number of our divorce cases. I have endeavoured to obtain from the most eminent men of all classes in America some evidence as to the practical effect upon society there of the legality of marriage with a deceased wife's sister. I have received upwards of 120 replies from Governors of States, from eminent Judges and lawyers, from the most distinguished statesmen and men of letters, including, perhaps, the most distinguished of them all, the present American Minister in London, and also from the Bishops and clergy of all denominations in all parts of the country. These replies are absolutely unanimous. Not one of my correspondents ever heard of any mischief to society or family life arising from the fact that marriage with a deceased wife's sister is legal. And most of them seem to have been greatly surprised to learn that any such notion should prevail here. The propriety of these marriages has never been questioned in America. Some of my correspondents speak of them not only as highly commendable in themselves, but as rather to be encouraged, and that in the interests of morality and social order. Now, my Lords, these are the views of men speaking from facts in the world around them, not, like many of the opponents of this Bill, from vague and fanciful imaginings of their own. They are independent witnesses; and I think their evidence may well be regarded by your Lordships as conclusive proof that if this Bill passes, as I hope it will, we need be under no apprehension that the purity of our family life will suffer in the smallest degree. For my part, I believe the Bill, if it passes, will have very little effect on the class of society to which your Lordships belong. We may not ourselves particularly wish for it. But, my Lords, is that a sufficient reason for rejecting it, when we remember that it has already passed seven times through all its stages in the House of Commons, 400 of whose present Members have either voted for it, or refrained from voting against it? It is quite evident that the Bill must soon become law, and I trust that your Lordships will not mar the grace of your concession by delaying any longer your assent to it. I beg to move the second reading of the Bill.

Moved, "That the Bill be now read 2^a."—(*The Earl of Dalhousie.*)

EARL CAIRNS: My Lords, I rise to ask your Lordships to reject this Bill. I might, perhaps, take some exception to the course pursued by the noble Earl opposite as being hardly consistent with Parliamentary usage and precedent. We had last year a debate on the subject of the measure. The noble Lord at that time made an elaborate argument in support of the Bill. There was an answer by my noble Friend behind me (Lord Balfour of Burleigh), who moved the rejection. Then the noble Marquess behind me (the Marquess of Waterford) advanced some arguments in support of the measure. In reply, the right rev. Prelate (the Bishop of Peterborough) delivered a speech which many of your Lordships will recollect as an extremely impressive one, full of strong arguments in opposition to the measure. We, who were opponents of the measure, certainly were under the impression that the noble Lord, or some of his Friends, would have risen to answer the speech of the right rev. Prelate. But, very much to our surprise, no one rose to reply to it. The noble Lord now says that no answer was given to the arguments from his side; but he must allow me to say that there was no attempt to answer the speech of the right rev. Prelate. I could not help expecting that the noble Lord would even now have thought it desirable to make some answer to that speech; but we find that, whereas the debate of last year had no ending, the debate of the present year has had no beginning. He has been good enough to say that if any noble Lord wishes to ask a question, he shall be happy to answer it; but beyond that he has not condescended to advance any argument in support of the measure, although he has made one or two statements of facts with regard to information obtained since last year. I am anxious that an effort should be made to show your Lordships what is incumbent on those who desire that the Bill should be passed into law. This is a measure which, for the first time, seeks to overthrow a state of things in this country with regard to marriage which has prevailed from the earliest ages ever since the introduction of Christianity into the country. It is a state of things which has had, I will not say the consent, but the uniform support, both of the State and of the Church. It is a state of law which goes down, deep down, into the strongest feelings of the people of the country; and, therefore, those who seek now to alter this state of law are bound—at all events to this extent—to show the strongest reasons in support of the change they propose, and to show that they have, I will not say a bare majority of the country in their favour, but the preponderating weight or feeling of the country in their favour. Let us see how the case stands. The noble Lord says that 400 Members of the present House of Commons are in favour of the Bill. I do not know how he has obtained the information; but if you take the present Parliament and the last—two Parliaments together—covering, I suppose, nearly 10 years, what has happened? There has been one Division, and only one, in the House of Commons on the subject of the Bill in these two Parliaments, and in this Division the Bill was thrown out. So much, therefore, for the feeling of the House of Commons on the subject. With regard to your Lordships' House, I do not forget the slender majority against the Bill last year; I go beyond it, and I say that if it had passed, yet if your Lordships were nearly equally divided, a change of this magnitude, a subversion of our Marriage Laws, ought not to be made by your Lordships without a much more preponderating majority in its favour. What is the state of feeling in the country? The Bill affects Scotland and Ireland, as well as England. I know there are some Petitions from Scotland in favour of the Bill; but everyone who knows Scotland will know that the heart and bone of Scotland are against this measure. I had the honour of presenting to-day a Petition from the Free Church of Scotland against the Bill; if I am not mistaken, the feeling of the Established Church of Scotland is also against it; it is the same with the Episcopal Church, and I think it may be taken that the preponderating vote of Scotland would be entirely against the Bill. So far as I know the temper of Ireland, the same thing would be true. If you take the people of England as a whole, take the men and women together, you would find a preponderating majority, not for, but against this measure. I want to lay before your Lordships what it is that this Bill proposes to do—what it would and what it must do. It is quite true that it deals with the case of the deceased wife's sister, and with that alone; but is that the end, or could it be the end? What did the noble Earl tell us last year? Nothing could be more candid than his confession. He said—

> "If I am asked, why is the Bill not of a wider and more comprehensive character, embracing also marriage with a deceased husband's brother or deceased wife's niece, my reply is that . . . . in theory, no doubt, the case for their legalization is as strong that which is dealt with in the Bill."—(3 *Hansard*, [270] 775.)

And my noble Friend (the Marquess of Waterford), who also advocated the Bill, still more clearly, if possible, stated his view on this matter. The noble Marquess said he thought it was quite clear that in legislation we should stop at blood relations. That is to say, the whole prohibition against marriages by affinity should be swept away. The noble Lords are perfectly consistent and logical in their views, for it is utterly impossible to stop short where this Bill proposes at this moment to stop. The noble Earl said his view was this—that there were a great many more persons who were anxious to be freed from the prohibition against marrying a wife's sister than those who were anxious to be freed from other prohibitions. But, supposing this to be so, is it any answer to the others? If there are 500 men who wish to be at liberty to marry a wife's sister, and if there are only 50 men who want to marry a niece or any other relation by marriage, is it an answer to the latter to say—"We admit that your case is perfectly logical, but still, because your number is so small, we will not repeal the prohibition?" I will ask this also—Is there any country in the world that has stopped where this Bill stops now? I put aside our Colonies, for that is only a thing of yesterday. That is a matter of which there is as yet no experience; but take the countries which permit at this moment marriage with a deceased wife's sister. Will any noble Lord who supports the Bill point out any one of those countries which stops at that point, and which does not go very much further? Will any noble Lord point out to us where is the ground at which we can stop, and where is the security that the change will not be greater than is proposed by this Bill? I maintain that it is impossible, on any principle of logic, to answer the demand which may be made at any time after this Bill passes to go further, and, as the noble Marquess said in effect last year, to sweep away all prohibitions on the ground of affinity. Again, this Bill has a peculiarity which, as far as I know, is unexampled in our Law of Marriage. I know that some persons support this Bill by saying that it does not interfere with the religious question at all, but only deals with the question of civil marriage. That is exactly one of the objections which I make to this Bill. Here, for the first time in our history, we have a proposal to establish a new kind of marriage in this country — a sort of morganatic marriage. It provides that if a man marries his deceased wife's sister in church the marriage is to be void; but if he marries the same person before a registrar it is to be a valid marriage. That is establishing in this country a new kind of marriage of which we have never heard before. Here you have a marriage which can only be valid before a registrar, and not in any other place. With regard to the religious argument on the subject of marriage with a deceased wife's sister, the noble Earl treats it as if that argument were entirely given up; and he has circulated widely some information he has obtained in answer to questions put by him upon the religious view of the question as he understood it. I agree that this is not a convenient place for arguing a question on any religious view of the matter; but the noble Earl compels me to do this, and to point out that he appears to be entirely mistaken as to what is the religious ground of the objection to the present Bill. The noble Earl, in the questions which he put to various learned persons, showed that he had not apprehended what was the religious ground of objection. He put questions on a particular clause in the Code of the Old Testament, and asked for their idea on that clause. But those who objected on a religious ground to a Bill of this kind would be prepared to put that clause entirely out of sight. The objection is simply is—There is undoubtedly a Code of Law with regard to marriages contained in the Old Testament. Is that Code a Code which applied only to the Jews, and which did not apply further? The answer to that can be given in a word. It did not apply merely to Jews, because the Code states, on the face of it, that it was binding on the nations who were round the Jews, and who were Gentiles. And violations of the code among those nations were punished severely. The Code begins by saying you are not to marry anyone near of kin. If it stopped there you might raise an argument that it meant near of kin by way of consanguinity. But the Code, in order to point out who are near of kin, gives, as an illustration, the wife of the brother of your father—that is to say, one who is related by marriage, and by marriage alone—and the reason it gives is that she is your aunt. This shows that the words "near of kin" do not relate solely to blood relations. The Code does not profess to exhaust all the degrees of relationship; but it gives examples on one side, and leaves you to infer an obligation correlative on the other side. One of the examples it gives is the wife of a brother, and it has been held by divines and by the Church from the earliest ages that just as there is a prohibition against marriage with the wife of a deceased brother, so, correlatively, there must be a prohibition of marriage with the sister of a deceased wife. I will not say more than that, because I see the authority of Bishop Jewell invoked for a different purpose. I will remind your Lordships of the words he used. Bishop Jewell said—

> "Albeit I be not forbidden by plain words to marry my wife's sister, yet I am forbidden to do so by other words, which by exposition are plain enough, for when God commands me that I shall not marry my brother's wife, it follows directly by the same that He forbids me to marry my wife's sister; for between one man and two sisters, and one woman and two brothers, is like analogy or proportion."

The noble Earl appears to be entirely ignorant of this argument in the questions which he put to the learned persons whom he consulted. They are consulted simply on the translation of a few words in a different clause, which can be translated one way or the other, without affecting this argument in the slightest degree. My Lords, the noble Earl to-night has not advanced the arguments in favour of the Bill; but we have been favoured to-day with what is somewhat unusual—the publication in the public prints of the argument in favour of the Bill by a society of which the noble Earl is the spokesman, and which promotes the measure. Some persons may, perhaps, be misled by a remarkable statement in that manifesto, and therefore I must take notice of it. It is stated that—

> "The Bill would give to the people of this country the same liberty with regard to marriage with the sister of a deceased wife which they enjoyed up to the passing of Lord Lyndhurst's Act in 1835."

My Lords, is that a true description of this measure, that it puts things exactly in the position they were in before Lord Lyndhurst's Act passed? I speak with some knowledge of the law, I hope, and I assert that nothing more inaccurate could be said. I say it is perfectly inaccurate so to represent this matter. I say that before Lord Lyndhurst's Act passed these marriages were illegal and void. This has been so decided by your Lordships' House as the highest tribunal in the Realm. The history of the law on this subject is very simple and very plain. The law on the subject of these marriages by affinity had its origin before Christianity. It was the law which was held by the Romans themselves before Christianity was adopted as the religion of the Roman State. Gibbon says—

> "The profane lawgivers of Rome were never tempted by interest or superstition to multiply the forbidding degrees; but they inflexibly condemned the marriage of sisters and brothers, hesitated whether first cousins should be touched by the same interdict, revered the parental character of aunts and uncles, and treated affinity and adoption as a just imitation of the ties of blood."

As Christianity was introduced the same law was adopted. I have seen it stated, in the same document to which I have referred, that it was only in the 4th century that there was any prohibition of these marriages. My Lords, that is an entire mistake. The law of the Church—which was in those times the only law of Christianity—condemned these marriages for centuries after the introduction of Christianity. If you read the statement of Basil at the end of the 4th century it is perfectly unequivocal. "We know of no such marriages," he says, "they are incestuous; they do not exist." Again and again has the challenge been given—let anyone produce an instance before the well-known dispensation given by Pope Alexander Borgia. What about the law of England? The law of England was the law introduced along with Christianity. It prevailed up to the Reign of Henry VIII. But did the Statute of Henry VIII. introduce a new law? No. The Statute was passed for this reason. The Church had gone too far. The Church had introduced a law of this nature with regard to pre-contracts. The Statute of Henry VIII. was passed for the purpose of making it clear that these prohibitions were not to be held valid. At the same time the Statute to which I have referred, and which is still in force, pointed out what were the degrees within which the prohibition was in force, and this is one of those degrees. That was the state of things when Lord Lyndhurst's Act was passed. Now, the noble Earl is of opinion that these marriages were legal at the time of that Act. One would suppose that at that time marriages between brothers and sisters was legal. The Act does not speak of a deceased wife's sister. It deals with all marriages within the prohibited degrees, whether of consanguinity or of affinity. They are all classed together, and there is no distinction whatever between them. What the Act does is this. It does not make valid marriages within the prohibited degrees of affinity, but provides, with respect to those which had taken place, that proceedings should not be allowed to be taken in the Ecclesiastical Courts for the purpose of making them void. It was held in your Lordships' House, after the most solemn argument, and in a case to which Lord Lyndhurst's Act might have applied, that these marriages were void, and that the children of such a marriage could not inherit as legitimate. Therefore, my Lords, the statement that this present Bill will give the freedom which existed at the time of Lord Lyndhurst's Act is entirely unwarrantable. I know it is said that a collusive action might have been brought before 1835, which would have the effect of protecting such marriages. But if any person really had an interest in the matter, it is an illusion to suppose that the action can have protected any marriage against an attack of that kind. Now, my Lords, we are told by the noble Earl that other countries have allowed these marriages, and that in those other countries they work well, and we are told that there is no country in Christendom in which the marriage is not allowed. Now, in answer to that, I would say, in the first place, that there is no country which allows the marriage which this Bill makes legal without going much further. Let us see what those countries are, and whether we are prepared to follow their example. Take the case of France. Does France really allow marriage with a deceased wife's sister? France does not allow the marriage without a Dispensation. But if a Dispensation be granted, it allows marriage between uncle and niece, aunt and nephew, and with a deceased brother's wife. In effect, it sweeps away by a Dispensation all the prohibitions with regard to affinity. In like manner Holland does the same thing, and Prussia does the same thing, or goes further. Then the question arises, is domestic life in these countries holier or happier than it is in this country? Does the noble Earl bring proof of that? I have not heard any from him, and I anxiously waited to hear. Here is what a German doctor of philosophy said, who was asked his opinion about marriage in this country—"It makes a German cover his face with his hands for shame." The noble Earl said that in other countries there might be more facilities for divorce, but that he had nothing to say to that. I always thought that divorce had a good deal to say to marriage; and that facilities for divorce had a good deal to do with married life. Then the noble Earl takes us to America. But he overlooks the Eastern Church, which did not admit these marriages, either by Dispensation or otherwise. But let us go to America, as the noble Earl has referred to it. What is the case in America? I take the State of New York, of which we know more than of the other States. What I find is this. The only prohibitions are the marriage between parents and children and their offspring, and between half-brothers and half-sisters. You may marry the sister of your father or mother, and a man may marry a mother and her daughter one after the other. The noble Earl has consulted a number of persons in the United States, where, it is said, this institution works well. I own I was rather surprised at his doing so, for I thought all Americans thought all their institutions worked well. I never met any American who did not think so; and I am quite ready to assume that the opinion of all Americans is that their institutions work well, and this excellent institution among the rest, that a man should be able to marry a woman and her daughter one after the other. But would it work well here? I doubt it very much. The noble Earl says you must not say anything about divorce. But if you take in America you must go a little further. The Americans will proceed to tell you that conjugal infidelity is perfectly unknown there. He will say—"That is on account of our Law of Divorce." How does that produce conjugal fidelity? "The way is this," he will answer, "the conjugal vow never fails, because if it becomes irksome we have no difficulty in getting rid of it, and our institution of divorce works well." The noble Earl can get plenty of authorities to the same effect. Let me ask the noble Earl to go further. I will take the case of an Englishman's testimony as to life in Utah. This gentleman was not prejudiced in favour of the state of things prevailing there. He stayed there some months, and he says that the demeanour of the women in the Salt Lake country was modesty itself, and they professed the highest morality and virtue. He says, if you wish to see healthy and well-regulated nurseries, you ought to go to Utah, and that the institutions of the country work admirably. No doubt, a law was passed by Congress and the Senate to put a stop to this state of things. But the people of Utah say that this law was passed by a tyrannical body, just as an eminent public man of our own day (Mr. John Bright), who says—"We believe these marriages are right, and we do not care who says they are wrong; they work admirably, and we believe they are proper marriages." The noble Earl may say—"Here are institutions which work well in America, and why should not we adopt them?" The next argument of the noble Earl is that he claims some support from the Bishops. Then it is said that these marriages have been made legal in the Colonies, and that very serious results may follow if we do not assimilate our laws to the Colonies. The statement was made very broadly, and I was somewhat surprised to hear it—but I followed the words correctly—that a man and a woman may be married in the Colonies, and be lawful husband and wife, and in this country be no longer so; and that thus a man may have two wives, one in the Colonies and one in England. Now, my Lords, I am very sorry there should be any difference of law between this country and the Colonies, because, in the abstract, it would be better that the law should be assimilated between them. But I repudiate altogether the idea that in case of such difference we should in all cases follow suit to the Colonies. What would be said if we said to the Colonies that they ought to adopt our legislation? But, my Lords, as regards this broad suggestion about the result of the law, let there be no misunderstanding. I speak in the presence of persons who are much more acquainted with this matter than I am myself. I say that that is an entirely inaccurate view of the law. My view of the law upon the point is this—that if a man, being domiciled in a Colony in which it is lawful to marry a deceased wife's sister, does marry his deceased wife's sister, his marriage with her is good all the world over; whereas, if the man is a domiciled Englishman, not domiciled in the Colony, but merely resident there, his marriage with his deceased wife's sister in such circumstances is bad everywhere, because he carries the impediment of his domicile to such a marriage with him. Therefore, the idea that there is any peculiarity as regards the Colonies—anything different from what would happen between this country and Denmark, France, and Holland in that respect—is a perfectly idle one. There is no foundation for it; and if that is the language of the Petition—I have not the words before me—I venture to say that it is an entire mistake. Coming to the next point, I see that it is stated that a great number of these marriages have already taken place in this country, that public opinion goes with such marriages and not against them, and that no repugnance to such marriages is felt among the people. With regard to the number of these marriages that have taken place I shall have something to say by and by; but, in the first place, I demur altogether to the doctrine that it is sound ground for legislation that a number of persons who, with their eyes open, have knowingly broken the law should come to Parliament and say—"The fact that we have broken the law is sufficient ground for unmaking the law." If so, we ought to apply it to other things. There is not an Assize where men are not tried for bigamy. What would be thought of the persons who have committed that offence coming to this House, and saying—"We have broken the law by marrying two wives. A great many of us have done so, and the law is very hard upon us; and, therefore, we ask you to change the law in order that there may be no breach of it." Take the case, also, of those who are engaged in smuggling. They may say that a great number of them have committed that offence against our fiscal law, but that the law is a bad one, that public opinion goes with them in their violation of it, and that, therefore, they ask you to do away with it. Then as to the numbers of these marriages which have taken place in this country. I wish that we had some reliable statistics on the subject before us. I have heard a great many broad statements made with reference to the number of these marriages; but no clear proof has been given us on the point. I recollect hearing, in 1855, in the other House of Parliament the present Prime Minister quote some statistics on which he said he placed perfect reliance, and which were certainly very remarkable. Mr. Gladstone said on that occasion that inquiries had been made over an area comprising 100,000 persons, and that in that area 326 irregular marriages had been contracted, 144 of them being marriages with a deceased wife's sister. But a further examination of the figures shows that out of those irregular marriages 75 were cases of bigamy and polygamy, 46 were marriages with a brother's wife, 24 were with a niece in blood, and 17 were with a wife's niece. I want to know what reply you would make to the demand of those who had married their wife's niece for a change in the law, if the principle is to prevail that because the law has been broken it ought to be changed? Why are you to apply that principle to only one section of these irregular marriages, and not to the others? A noble Friend of mine on inquiry found that in one parish there were 28 cases of incestuous unions, three being with a deceased wife's sister, two with a wife's sister, the wife being alive, seven being cases of men living with their own daughters, 10 with their own sisters, and six with their nieces. This is an answer to the assertion which has been made as to the immense extent to which these marriages prevail. Then I would ask whether there is any satisfactory proof that public opinion goes in favour of these marriages? I think that the case in this respect will be found to stand thus—that as your Lordships are divided in opinion with reference to this subject, the opinion of the public is also divided, there being those who are in favour of relaxing the law, and there being those who desire to see it strictly maintained. The noble Earl says that there is no repugnance felt in the country to these marriages. I should like to put that assertion to the test in some way. But the noble Earl's own Bill proposed to prohibit these marriages from being celebrated in church. What is the reason of that? The noble Earl will, perhaps, tell me that he has placed that Proviso in the Bill so as not to offend the religious feeling of this country. But is the religious feeling of this country so slight and trivial a thing that while you are afraid to offend it by permitting these marriages to be celebrated in a church, you say, at the same time, that it is no evidence of the existence of repugnance to these marriages in the country? I will take another case — that of the Divorce Act. Section 27 of that Act says that—

> "A wife may present a petition for dissolution of marriage on the ground that her husband has been guilty of . . . incestuous adultery; provided that incestuous adultery shall be taken to mean adultery committed with a woman, with whom, if his wife were dead, he could not lawfully contract marriage by reason of her being within the prohibited degrees of consanguinity or affinity."

The question I have to ask the noble Earl is—Is he going to retain that provision, or to do away with it? Does he intend to say that when a man violates the bond contracted with his wife it shall be just the same whether the offence is committed with his wife's sister or with any other person? Will the noble Earl carry public opinion with him on that point? But if he is going to retain this provision, what becomes of his statement that there is no repugnance to these unions? It stands upon the face of it that the words "incestuous connection" cannot be got over. The noble Earl said that he could see no difference between the marriage with the widow of the brother and that with the sister of the deceased wife. Neither can I. Was our great dramatic poet so ignorant of the feelings of his countrymen, so ignorant of the effect of marriages of this kind, that he spoke that which was at variance with public feeling in his greatest work, when in almost every page of it he describes these marriages with a deceased brother's wife as incestuous marriages? Then it is said that this is a poor man's question, and that is an argument which has been very much pressed upon us. But even if these marriages were greatly resorted to by the poor, I should not regard that fact as an argument in favour of a change in the law, because we ought not to have one class of legislation for the rich and another for the poor. If such a change of the law is required at all, it must be required by all classes, and not by one class only. If the change in the law is a good one in itself, it ought to be made for both poor and rich together; if it is a bad one, we ought not to make a bad change, because poor men break the law more than the rich. We ought to try to elevate the poor, and to show them that if this thing is wrong it ought not to be done. But is this a poor man's question? What is the evidence upon the point? There was no person who took more trouble in reference to this subject than my noble Friend the late Lord Hatherley. He told us that a clergyman once wrote to him, and informed him that in his parish alone there were known to be 20 or 30 widowers who were ready to marry their deceased wife's sisters if the law were altered. My noble Friend, in reply, informed the clergyman that if he would send the names and addresses of these persons he would make inquiries on the point, and the result was that he never heard anything more about the matter. Lord Hatherley, however, made some inquiries into the subject himself. He found that in two parishes in Westminster there were 60,000, 40,000 of them being poor. He employed an active person to make inquiries, and he could hear of only one such marriage, and a newspaper challenged the accuracy of this report on the authority of a City missionary, who said that he had found two such marriages in these parishes. The Royal Commission which sat to consider this question in 1847 and 1848 had better means of getting at the truth upon this point than we had, and they were assisted by two most eminent solicitors; and they found that between the time of the passing of Lord Lyndhurst's Act and of the inquiry, 1,608 such marriages had taken place between the rich, and only 40 between the poor. Are we, then, to accept these wild and broad statements that this is a poor, and not a rich man's question? If this had been a poor man's question we never would have heard of the present agitation. It is the money of the rich that has got up this agitation and paid for it from beginning to end; and these advertisements, of which you see column after column in the newspapers, are not paid for by the poor, but by the rich, and it is a rich man's, and not a poor man's question. But then it is said that the children of these marriages are the victims, and that their injury should be redressed. I am sorry for that. It is quite true. It is the case always that the children suffer for the wrong done by their parents. So it would be in the case of bigamy, so in the case of polygamy. We have children born out of wedlock altogether. Are they guilty or innocent? And are you going to undo the law in regard to bigamy or polygamy, or children born out of marriage altogether, because the children suffer and are innocent? How do the children of these marriages suffer more than the children of any other marriage which is illegal? I remember the noble Earl the Secretary of State for Foreign Affairs (Earl Granville), speaking a year or two ago about this Bill, said—"Well, after all, what harm can the Bill do? It is only a permissive Bill." If you make any change with regard to the degrees of marriage it can only be a permissive Bill; you cannot make people marry under them. The noble Earl (the Earl of Dalhousie) referred to the opinion of the right rev. Bench on this subject; and he said they were deeply interested in the question, and he regretted their attitude generally towards it. I observed that almost in the same breath the noble Earl paraded before us the names of some Bishops who agreed with the Bill. He was very proud of them; they were persons of great weight; but the opinions of the right rev. Prelates who disagreed with it were not entitled to any notice at all except censure. Because the noble Earl did censure them, referring to them in a way which could not but be invidious. I would blush for the right rev. Prelates if, on a question which, more than any other, concerns the morals, the religious feeling, and the social and domestic happiness of the country, they did not take their deepest, their strongest, and their most clearly expressed part in it. And that brings me to what is the last view which I desire to present to your Lordships. It is the effect of this measure in a domestic and social point of view. We have heard again and again that the sister of a deceased wife is the best guardian and the tenderest caretaker of her sister's children. That is perfectly true, and I desire to perpetuate that well-known feature in family life. It is for that reason, perhaps, more than any other that I demur to this Bill, and desire your Lordships to reject it. I believe this Bill would break up, if it were passed, our social and domestic circles. What is it which is achieved by the prohibition against marriage within the prohibited degrees? It is not merely some physical ends which are gained, but much higher and much holier ends. How is it that circles are created within which pure and dispassionate love can dwell securely? They are not created by Nature, because Nature would lead us to disregard all prohibitions. They are created by usage, by custom, by teaching, by the prohibition of the law. These things create a habit, and secure for us those circles of domestic purity through which the greatest blessings and happiness have flowed to us. And what takes place when that moment of supreme sorrow comes upon a family, when the mother is taken away, and when the children are left without her care? At that instant, without waiting for the lapse of time, who is it that most naturally enters the darkened house to soothe and care for the children? It is the sister of their mother. That can be done now fearlessly. Could it be done if this Bill were passed? I know there are men who say it could; is there any woman who says it could? Do you suppose it would be possible for any woman of marriageable age to expose herself to the scandal and the insinuation that would arise if the law were changed? I have had—as I daresay many of your Lordships have had — communications upon this subject, expressed as women only can express them. I cannot venture to trouble your Lordships with them; but there is one of which I can make use. It is written to me by a person with whom I am not acquainted; but I have made inquiries, and ascertained that it is written by one who is what she professes to be—a lady having care of the children of a deceased sister in the house of her brother-in-law. And this is what she says, speaking of this Bill—

> "From all we can learn of the present movement it is far more a retrospective one than anything else. I mean that it is urged on by a few influential people who married their deceased wife's sisters, and who now desire to repair the wrong they have done to the children born of such marriages by trying to get the law to declare them legitimate, and not because such a law is desired by the people of England. Unfortunately, it is one of those social questions which does not press itself on people's attention as an important one, except to those whose personal or family relations will be influenced by it; but to them it is, indeed, one of most serious moment. Its effect on the lives of such bereaved families will be a cruel one, for in making the relation of marriage possible between a widower and his sister-in-law, it must, of necessity, also place them in the relation of perfect strangers to each other, and set apart those who have naturally come to feel a strong, helpful affection, for each other; but, worst of all, it will make it impossible for a woman to give the love and care to her dead sister's children which every feeling of her heart and mind would prompt, unless, indeed, she do it under the scathing ordeal of the world's scandal. It would not only set this seal to sorrow after a wife's death, but would impair the happiness of married life from its commencement, for we women are not all supernaturally wise, and many of us, we must admit, are jealous, and to those who were foolish the expression of a husband's affection for his sister-in-law would be a vexation, while to those who were good and strong the thought of the possible future would be a constant anxiety. When each child was born she would remember that if her life was taken her people could no longer be her husband's people, her children would be estranged by the effects of the law from their care, and her husband would be left to the alternative of probably making too hasty a marriage to make a wise one, or of giving his children to the thin protection of hired care."

These are views which I believe are the views entertained by the intelligent women of this country; and what I regret, above all, is that this is an attempt by the minority to tyrannize over the majority. Those who desire marriages of this kind are the minority, which I will not call miserable by way of disrespect, but only miserable as regards the number who compose it; and in order to gratify this minority you destroy the whole domestic and social comfort and happiness of the vast majority of the families of the country. I trust your Lordships will not be led to give your assent to this Bill. To this House, of all others, the country is wont to look for protection against violent disintegration and change. This Bill would cause a disintegration in our Marriage Law such as never has taken place before—a change which could not rest here, but which must subvert the whole of our law in regard to the position of a man in relation to his wife. I beg to move that this Bill be read a second time this day six months.

Amendment *moved,* to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Earl Cairns.*)

LORD BRAMWELL said, he hoped their Lordships would reject the Amendment of the noble and learned Earl, read the Bill a second time now, and end a law cruel, mischievous, and needless. He desired to say, at the outset, that he was utterly uninfluenced by any personal consideration, for he had never been acquainted with anyone who had the least personal interest in the alteration of the law. The present state of the law had been about half-a-century in existence, for the law, as it stood now, was wholly and entirely different from what it was before Lord Lyndhurst's Act. It was true that marriages such as were within the prohibited degrees were voidable before Lord Lyndhurst's Act; but it was not true that they were void, as he understood the noble and learned Earl (Earl Cairns) to say. On the death of either parent the child of such a marriage would have been, before that Act, the heir to the estate, without the possibility of his right being set aside; and if, after a man had married his deceased wife's sister, he had married another woman, without having his marriage with the deceased wife's sister declared void, he would have been guilty of bigamy. The difference between the law before that Act and since was this—that people did enter into these marriages, and they were not voided, because no one was so cruel or so wicked as to attempt to make void a happy marriage. He admitted that the condition of the law was objectionable before the Act of Lord Lyndhurst was passed; but that Act made it worse, for it made void those marriages, which people had entered into and would enter into. The present law was bad when it was observed, and worse when it was not observed. He used the word "observed" advisedly, because there was really no command. The law allowed a man and woman to go through the ceremony of marriage; it allowed them to live together; but upon the terms that the woman was the man's concubine, and that the children were illegitimate. It was true that proceedings might be taken against them even now in the Ecclesiastical Courts; but no one would venture to do so. If such proceedings were taken the jurisdiction would not last long. Let them take a case in which the law was observed, and what was it? Here were a man and a woman, in every way fitted for each other in respect to age, station, and disposition, with that reasonable affection for each other without which matrimony should not be contracted, and with the additional circumstances making marriage between them desirable—namely, that the man had a tender helpmate for his children, and that the woman loved them for their own sakes, and for the sake of her sister. Yet the law interfered and said they should not marry, or, if they did, it should be only on the dreadful terms he had mentioned. That, he contended, was a cruel case, and no law ought to compel it without the most cogent reasons. The noble and learned Earl had said that cogent reasons should be given for the proposed alteration of the law; and such a case as that which he had just placed before their Lordships was one very cogent reason. This, then, was what happened when the law was regarded; but to a very great extent it was not regarded. It was disregarded, as every law was disregarded which did not agree with men's consciences; and it was a most mischievous thing that there should be a law in existence which people were tempted to disobey. It was a bad example to set, and it tended to make them disregard other laws which were of more importance. Public opinion did not go against those who contracted such marriages, which were not regarded as offences against the law were. No man who married the sister of a deceased wife would be looked down upon, or shunned, or avoided in the present day, in the same way as he would be if he married his own sister, or if he committed some real and not theological offence in which his conscience went with the law and disapproved his conduct. The result was that such marriages were contracted, and would continue to be contracted, because men's feelings and consciences did not oppose them. But there were those who were driven to this who had no choice. He would ask their Lordships to disregard their high position for a moment, and to give a thought to that of the poor man in reference to this question. It had been said that this was not a poor man's

Bill. No doubt, the Bill was not one that had been promoted by poor men—poor men did not promote Bills there or "elsewhere." Yet it was especially a Bill in which the poor man was interested. It was well known that hundreds of thousands of poor men were compelled to reside in one room with their families; and a man of that class, having been left a widower, and having secured the kind services of his deceased wife's sister to look after his children—and who could do so better than she could? —would almost be driven, under such circumstances, to commit sin, unless he could protect himself and the woman by marriage. Persons placed in this position often went through the form of marriage. In one case, which gave him the greatest pain, he tried a man for having committed perjury by making some declaration which was necessary in order to enable him to make his union with a deceased wife's sister as decent as he could by marriage. In respect to what had been called the social argument against the Bill, he regretted that he had again heard it stated as an objection to an alteration of the law that if a man could not marry his deceased wife's sister, then the latter could live in the house of the married couple during the life of her sister with a feeling of perfect safety. The alternative to that argument was simply shocking to his mind, and it was scarcely to be mentioned in an Assembly of English Gentlemen. Consider what the argument involved. This—that if, after the wife's death, her sister and her husband could marry, they would, or might, in her life, lust for each other. It was not true. If they would—if they were so lost to all decency and feeling of right—would they be restrained by such a consideration as that they could not marry on her death? Another argument had been brought forward which, in his opinion, was as unfounded. It had been said that if, after the death of a wife, the wife's sister could not marry the widower, she would be able to live in his house with safety, and without fear of scandal. But he would ask their Lordships whether it was wise or prudent, especially if the man and woman were young and attractive, that they should live together in the way suggested? It certainly was not, and it seemed to him to be the most enormous paradox in the world to say that the right way for a man and woman to live together without scandal was that they should not be able to marry. One would have thought that the safest course would be that they should be permitted to marry. That was not his argument, but it was the argument of a distinguished Prelate, and a man of the greatest ability—Archbishop Whately. There was absolutely nothing in this so-called social argument against the Bill. There were 100,000,000 English-speaking people in the world. With two-thirds of them those marriages were lawful and valid; with the one-third in this country they were not. Why? Perhaps their Lordships might judge the reason without his going further. Another remark he desired to make was that he thought it extremely hard that persons who contracted those marriages should be charged, as he had seen them charged, with lust. He did not see why it was lust, unless they assumed that the woman was the wrong woman. They had no right to apply that opprobrious term until they established, first of all, that it was an improper marriage. They had no right to use such a word for the purpose of insinuating that it was an improper marriage. The argument was, it was lust because the woman was wrong, and the woman was wrong because it was lust—a vicious circle. He came now to an argument which he approached with reluctance, as he wished to show indulgence to the feelings of others, knowing how much he needed indulgence for his own. He would not call it the religious argument—the word was too good for it—but he would call it the theological argument. Their Lordships need not fear that he would go deeply into the theological argument. He knew as little of theology as he did of astrology. Their Lordships would admit that religion was for the guidance of man in his daily conduct, with a view to his happiness here and hereafter. It was to guide and govern not only those who had plenty of mind and intellect to enable them to master the subtlest problem, but those who were without this qualification, or had no more than a small part of it. Now, he would ask, in all seriousness, was it possible to make such a man understand why he was not to marry his deceased wife's sister? Suppose he went to a theologian and said—"I desire to marry my deceased wife's sister. Will you tell me why it is wrong? Is it put down in plain language anywhere?" He thought there were texts from which it would rather be inferred that it was a right thing to do. In one of the Books of the Pentateuch, he thought the prohibition was limited to the lifetime of the sister—the first wife. The theologian might say—"You see you do not understand the matter. If you were a consummate Hebrew scholar, and, in addition, knew Greek; if you had read all the Rabbis have written for the last 1,500 years in favour of it, and the answers given to them; if you could understand the most subtle of subtle reasonings, then you would see that it is not right for you to marry your deceased wife's sister." The man might answer that it was impossible for him to understand it then, because he was no Hebrew scholar, he did not know Greek, and he could not read all the Rabbis had written on the subject, nor the answers; but he might say—"May I take your word for it?" The theologian, if he were an honest man, would answer—"Well, I cannot say that, because I have the majority of theologians against me. They think otherwise." Would a merciful lawgiver lay down a law in such a way? "Thou shalt not steal" required no exposition. They did not want anyone to explain it, and their consciences told them it was right. He had heard a noble Earl lament the way in which the Pentateuch had been spoken of by a distinguished philosopher. Let him impress upon the noble Earl that if he desired that those who believed in the Pentateuch should continue to believe in it, and that those who did not believe it should respect it, let him not press the law in it too strongly on those who felt that it was not given for their government. There was one verse, the 19th of the particular chapter which was supposed to bear on this question, that he must refer to. Let that be read in connection with chapter 20. The noble and learned Earl relied very much for support on the right rev. Bench. He hoped they would believe him when he said that he was speaking most respectfully and reverently. A condemnation of these marriages was found in the words—"And they twain shall be one flesh." That was a very strong and emphatic way of describing the union between man and wife. But it was a metaphorical expression, and was never intended to be taken literally. For what consequences would follow from taking it as a statement of actual facts? A man married a woman who had a sister. That sister, it was said, became his sister. All her sisters must, in the same way, have become his sisters. But his wife was one of the sisters; and, therefore, his wife was his own sister. [*Laughter.*] He had said nothing which deserved a laugh; he had only pointed out the consequences of treating what was a metaphorical statement as a statement of an actual fact. He would give another instance less absurd. John married Mary, who had a sister Martha. Martha became his sister. But his sisters were his brother's sisters. He had a brother William, and William, therefore, could not marry Martha, because she was his sister. Was it to be supposed that the law was laid down in such a way? No merciful lawgiver would do so. "Do unto others as you would be done unto" required no exposition—men's consciences went with it, and obeyed it. But it was a different thing with the case in question. An argument had been used, though not that day, by one for whom he had such a sincere respect, that if he could possibly alter his judgment he should be glad to do so. It was, that the Bill would be an unfair and improper one to those whose consciences told them they had done wrong, "because they might have repented them of their sin." He thought it would give a good man pain to call that a sin which was not a sin to the consciences of those who had done it; but, still, that was the expression used by the noble and learned Earl on the Woolsack (the Lord Chancellor). It might be that there were some repentant sinners; but their Lordships had never heard of any of them. He (Lord Bramwell) dared say there were persons who had married their deceased wives' sisters who had repented, and there were others who had not married deceased wives' sisters who had also repented; but he had never heard of any who had applied to the Divorce Court on the ground that he had married his deceased wife's sister. It would be a wonderful testimony to those marriages if there were none who repented of having made them. That argument was quite foreign to the principle of the Bill, which it left untouched. Provision might be made for such cases, if any. The noble and learned Earl opposite (Earl Cairns) said that if the Bill passed, these marriages in Church would still not be valid. That was probably the case. But the only remark he could make as to this point was that the Bill was so drawn to avoid offence to the clergy. Again, it had been said by the noble and learned Earl that incest was a creature of the law; that there was no such thing as a natural repugnance to any sort of marriage; and that unless the law pronounced it invalid a man might marry his mother or sister. That was an argument suggested; and he would only deal with it by asking whether that was the feeling actually entertained by anyone, and whether the horror of incest, and the natural repulsion from it, was not as strong in the promoters of the Bill as in its opponents? It had been asked—

> "Need we wonder at the miseries of the Royal Houses of Arragon, Castile, Braganza, and Bourbon, when we read of their incestuous marriages?

Now, of these Houses, two had passed away, and it was suggested, not because of any incestuous marriages in those houses, but on account of one by a German uncle. The House of Braganza had not by any means been overwhelmed by misery. The Bourbons had been unlucky, no doubt, as one King of this line had been beheaded, two had been driven from France and one from Naples, but none of them, as far as he was aware, had married their deceased wife's sister. Surely no one could hope to influence a Legislature by such arguments. He would say no more, but could only repeat that as things were this was a cruel and mischievous law, for which he could see no justification.

THE ARCHBISHOP OF CANTERBURY: My Lords, I am afraid that I am at a great disadvantage in following, and not being able to meet in the same spirit, the eloquent and able speech to which we have just listened. It is wholly impossible for me to argue this question with jokes, or to descend to the level of a bull, in order to excuse to your Lordships the grotesqueness that follows from the received law of the Christian Church—a law which we have always looked upon as dating from the very beginning of religion. Nor need I, after the speech of the noble and learned Earl opposite (Earl Cairns) attempt to go through all the arguments we have heard with anything like continuity; but I may protest against the assertion with which the noble Earl who opened the debate (the Earl of Dalhousie) characterized the objections that are felt to this Bill. I must assure him that these objections are not vague and fanciful, and that, if they appear so to him, it can only be because he has not taken enough trouble to be thoroughly acquainted with them. We who oppose the Bill perfectly understand what we mean when we say that religion and morality are deeply involved in this question. I thank God that the word "Scriptural" still bears in England, to some extent, the meaning of "moral," and that what is laid down in Scripture does come to us with the force of a moral commandment. It is well known that the chapter in Leviticus, so often referred to, which tells us what marriages are forbidden and what permitted does not go through the whole list of prohibitions, but needs to be looked at in the light of reason and common sense. In saying this I cast no slur on the word "theology." You will soon banish religion if you banish theology, for theology is a science, just as jurisprudence is a science; and as that practice of the law which the noble and learned Lord adorns rests upon its science, so it is on theology as a science that religion as a rule of life ultimately rests. Look at that chapter in the light of common sense, and the question before the House is obscure only in the sense in which a sum is obscure which a boy has to do by a rule which he has already learnt. Affinity is not, so far as I know, a physical fact; no one said it was; but what runs clearly through the whole chapter is that affinity and the oneness of the flesh of man and wife are to be regarded as regulating the relations of the two families thus united. The case has not always been properly stated. In the long sermon which came out in the newspapers this morning, as an advertisement for a Marriage Law Reform Association, it is said that this affinity is a fiction, because other affinities are allowed to be contracted, and are not forbidden by the Table. If that is alleged as an argument, surely the most elementary examination of the question shows that it is no argument at all. Neither in consanguinity nor in affinity is marriage permissible when you can count only three persons. For instance, a man cannot marry his step-daughter; you can count only three persons—the man himself, his wife, and her daughter; in all the unlawful degrees of affinity you can count but three persons; in all the lawful degrees of affinity you can count four persons or more. But, after all, we rely on a higher authority than the words of Leviticus—namely, the statement of our Lord, when He said that a man and his wife are one flesh, and applied this to remove the relaxations and corrupt practices of the Jewish people. I hold the doctrine that Scripture was made for man, and not man for the Scripture; and I believe that these prohibitions laid down in Scripture are those which visibly affect the well-being and happiness of the family. The Church has always understood this; and the Dispensations granted by Rome, so far from showing that the Roman Church considers the law breakable, are rather arguments that enhance its importance. We all know what powers are supposed to be inherent in the Bishop of Rome; but his Dispensations are exceptional, and, being exceptional, show, as I said, the importance attached to the law. To pass to another point—Is there no consideration whatever to be extended to the clergy themselves in their intercourse with the people? The clergy, the teachers of the people, have been taught to believe in order to teach that by the law of England, by the Prayer Book, by the Canons of the Church, these marriages are forbidden in Scripture. Suppose this Bill passes, what is their position at once as representing Scripture—I do not say merely as expositors, but as men who have always been taught that the ground of the law of the Realm is that these marriages were not according to Scripture? It is absolutely certain that amid such pressure as is now brought to bear, the clergy, as citizens, and conscientious ones, are to be entirely unconsidered. It would be impossible for any reflecting man to really think that the English clergy, as representing the whole body of Church laity, could possibly abandon their primitive standing-point. We have been told that the social question has nothing in it. Well, if this Bill were to pass a second reading, throughout England to-morrow morning, for every pair made merry by the announcement there would be hundreds—nay, thousands—whose homes would be rendered miserable. It would be received at once as a signal for her who feels herself the sister of the bereaved husband, and the true mother of his children, to pack up and begone. The only cases that can be contemplated with satisfaction will be those in which marriage would never have taken place but for the passing of this Bill; and in these the protection which the wife's sister can give to the man's family will be deferred for a decent period, and it must be wanting during the time of the greatest affliction and need. I believe that the law does represent the instinct of the people; it may be an instinct that is not universally felt; but law registers instinct in general, and makes the instinct of the best and the most the law for all Is it not the case that a man does always treat his wife's sister differently from the way in which he treats any other woman? Is it at all true that a man looks upon his wife's sister in the way he looks upon any other lady? As to the poor, your Lordships will give great weight to Lord Hatherley's careful examination and experience; this has been laid before your Lordships; and last October there appeared in *The Guardian* a letter relating to the two parishes of which Lord Hatherley spoke from a person intimately acquainted with them for 40 years, and the writer confirmed, up to the date at which he wrote, what Lord Hatherley had said. The appeal made to the noble Earl opposite (the Earl of Shaftesbury), on behalf of the poor, is one worthy of the tenderest consideration; but the noble Earl would tell you, I am sure, that it is improved dwellings which must enable them to live more decent lives, and do a great deal more for them than the proposed change of the law, which, after all, would affect but a small number. I would say a few words as to the argument based on authority. Discredit has been thrown upon the Bench of Bishops because, last year, 16 of their number opposed this measure. They have been spoken of as if they were leagued together for some evil cause, and to promote something which would injure the poor; whereas they believe, and with good grounds, that they are maintaining the interests of Christianity, and the Church, and the whole people; and, therefore, that it was their duty to be in their places, and to acquaint the country with their views. The Diocesan Conferences have been spoken of as if they were mere instruments of the Bishops. On the contrary, it is well known that they are largely composed of independent laymen; and, therefore, great weight ought to be attached to their opinions. There has recently appeared a very touching letter from an American, in which he says that large sections of society on the other side of the Atlantic are watching with anxiety the fate of this Bill, because if it be carried their depressed tone of morality on the subject of marriage must be still further depressed; but if it be rejected it will be a signal warning to them that their common tone does require to be elevated. Among those who are to-day named in the widely-circulated document of the Marriage Law Reform Association as supporters of the Bill have been Dr. Hook, Dr. Prince Lee, the first Bishop of Manchester, Dr. Thirlwall, Bishop of St. David's, and my own revered Predecessor. Now, the biographer of Dr. Hook has told us that he objected to the proposed change of the law on Scriptural grounds and grounds of expediency; and that, although, for a time, he was led away by fallacious arguments about the help it would give to the poor, he "ultimately returned to his first opinion." As to Dr. Lee—and those who knew what he was as a scholar, a thinker, and a lover of truth, would be much moved by this statement—I wrote to his son-in-law and most intimate friend, who replied that he remembered the Bishop's opposition to the Bill in 1850, and had not the slightest reason to believe that he had changed his opinion. I communicated this to the Secretary of the Marriage Law Amendment Society, who replied that the opposite statement had long remained unchallenged; he added in support of it that Dr. Lee's distinguished pupils followed his authority; on my asking after them, he informed me that two of them were well-known clergymen who were expecting promotion from their Bishops, and whose names he was, therefore, unable to give, and the third distinguished pupil of Dr. Lee was an ex-Colonial Minister. I am assured that Dr. Lee never had such a pupil, and the reference to the well-known clergymen is no less hazy. As to the liberal and philosophical Connop Thirlwall, his speech is happily extant, in which he declares that—

> "He must express his decided protest against a Bill fraught with infinite danger to the country and to society."

With regard to my Predecessor, when a young man at Rugby, he signed a Petition in favour of the Bill, and in the later years of his life he regarded this as a youthful indiscretion. I am able to state, on the best authority, that if he had ever had to give a vote on this question it would have been given with heart and soul against the Bill. So far, therefore, as authorities are concerned, I think that the testimony so boldly put forward will not be much respected. I shall vote against the Bill.

Lord CARRINGTON said, that, in asking the indulgence of the House for a very few moments, he should not venture to offer any opinion of his own on the subject; but he begged leave to call their Lordships' attention to the remarkable speech which closed the debate last year, and which, delivered by the right rev. Prelate (the Bishop of Peterborough), ought not to go unchallenged. He ought to remind their Lordships that the right rev. Prelate came into the House when the debate was all but over; and, apparently, he was induced to speak by what fell from his noble Friend opposite (the Marquess of Waterford), as his first words were—

> "Strange as it might appear to their Lordships he had really no intention of addressing them when he came down to the House."

And then he went on to say that—

> "He had never been able, in the course of his opposition to this measure, to take what was commonly called the high Scriptural or theological ground, at least as regarded the Old Testament, which was taken by many of his right rev. Brethren on the Bench in opposition to allowing a man to marry the sister of his deceased wife. It had always seemed to him that the interpretation of the verse which the noble Lord opposite (Lord Balfour of Burleigh) quoted, as forming the basis of his opposition, was rather questionable, and had been questioned; and he was further of opinion that if we adopted one portion of the Levitical law, as regarded marriage, it was difficult to see why we should not adopt the whole of it."—(3 *Hansard*, [270] 795-6.)

This statement appeared to produce something very like consternation among those who conscientiously, on religious grounds, opposed the Bill; and then, passing away from the Scriptural ground of objection, the right rev. Prelate said he would wish to deal with it as a "question of sentiment." It was not as a clergyman that he opposed the Bill, but as a clergyman he claimed a right to speak on the requirements of the poor; and he then went on to state "that it was not in the interest of the poor man that the Bill was really moved for." The expression, "the poor man," he (Lord Carrington) took it, signified those who lived by their own labour and industry, and who were usually styled the working classes. Now, did the views of the right rev. Prelate represent in any way, shape, or form those of the artizans, mechanics, and labourers for whom he had taken upon himself to raise his voice? The working classes gave their answer—every one of their Representatives in the Commons House of Parliament was in favour of the Bill. In the lobby of the Trades Union Congress, held at Manchester in the autumn of last year, a Petition was signed by the delegates of Trades Unions throughout the United Kingdom, representing 500,000 members of associations—which meant, at least, 2,000,000 of the working classes—from which the following was a brief extract:—

> "We are convinced that the working classes of this country have a large interest in the removal of the existing restrictions in England, and that the statements to the contrary lately made in Parliament misrepresent the actual facts. Your Petitioners are men whose whole lives have been spent in circumstances peculiarly fitted to inform them of the sentiments entertained by the great mass of the people on social as well as industrial questions; and as regards those sentiments and exigencies of the poor in respect of the question of marriage, they cannot admit the claim of the Bishops to speak with the authority so often assumed by them in their places in Parliament."

The right rev. Prelate then said the Bill was brought in for the interests of the rich. He would ask their Lordships how many persons there were among their relatives or acquaintances now living who had either expressed a wish to marry, or who had married, the sister of their deceased wife? Three noble Lords had told him they knew one, and they all three mentioned the name of the same person, a well-known master of foxhounds in the Midlands. And then the right rev. Prelate clearly showed that he was speaking on the spur of the moment, without preparation, when, in this House, and in the hearing of the Peeresses of England, he implied that the Bill was sought for by the rich for an evil purpose; and he conveyed this terrible accusation in words that were not reported in the public prints, which, spoken by another, he would have been among the foremost to condemn, and which, used by himself, he would, on reflection, be the first to regret. The right rev. Prelate, towards the end of his speech, struck a right chord, when he said he held that the deep convictions and rooted sentiments of the great majority of Churchmen were entitled to some consideration; with this everyone would entirely agree; and he (Lord Carrington) went much further, and fearlessly stated that it would be a lasting regret to the advocates of this Bill if any language was used calculated to shock the religious or the sentimental opinions of those who opposed it. But the consideration which they meted should be measured out to them again; and he thought he was justified in saying that public opinion in the House and elsewhere would sternly condemn speeches made on the spur of the moment, especially coming from the Bench of Bishops, which contained ridicule and jokes, or thoughtless allusions, calculated to raise a passing laugh, but which deeply wounded the feelings of all those to whom the passing of this Bill was a matter of social existence and recognition, whose fate was trembling in the balance, and who were awaiting at that moment with such anxiety the verdict at their Lordships' hands.

Lord COLERIDGE said, that as he had, on a former occasion, stated his objections to the measure, he did not now propose to trouble their Lordships at any length on the general considerations which at that time and still appeared to him to be of weight. It seemed to him that, at least in matters of marriage, men and women were entitled to be treated as absolutely equal; but this Bill treated them as unequal. This was a matter in which women must be presumed to be equally interested with men; and yet their Lordships were asked to legislate—he would not say in known opposition, for that was not proved, to the opinions of the great majority of English women; but, at least, not in proved agreement with them, and without much consideration for them. He contented himself with reminding their

Lordships of the great advantage it was to the whole community that in this matter the general balance of advantage, convenience, and expediency should be weighed. The prohibitions of affinity and consanguinity in matters of marriage greatly enlarged the number of those with whom we might have the most intimate and affectionate relations, into which, nevertheless, passion did not enter. He preferred to call it passion, though his noble and learned Friend had thought fit to use a coarser expression. That passion we shared with the brutes; but passionless affection had been the great humanizer of society, and the great civilizer of mankind. As long as he had been able to think upon this subject, these considerations had appeared to him to be entitled to weight. He would not trouble their Lordships with details of the arguments upon them; but there were two or three isolated or separate points on which considerable stress had been laid. It had been put to them often enough—and to-night by his noble and learned Friend in his amusing speech—that they were supporting in this case, not a legal, not a natural, but an ecclesiastical and a theological prohibition. In a certain sense, no doubt, that was perfectly true; but it was not true in any such sense as should make them hesitate for a moment to maintain it. From the very earliest times, in this country at least, all matters of marriage had been considered matters of ecclesiastical cognizance; and in this country and in Ireland—differing in this respect from all other Christian and European countries—their Lordships held, in a solemn case brought over from Ireland about 50 years ago, that the marriage contract was not in these Islands as it was in all other European countries—a purely civil contract, but an ecclesiastical contract. It was also true that the prohibition they were now defending rested upon ecclesiastical authority; but it rested neither more nor less on ecclesiastical authority than the prohibition of every other degree, even the closest blood relationship. It rested upon ecclesiastical authority, supported and enforced by Acts of Parliament and Common Law; but even if it were otherwise, he failed to recognize the fairness of endeavouring to determine a grave argument of this sort by the introduction of an unpopular expression. The question for their Lordships was, whether it were fit that this prohibition should be maintained, or that it should be abrogated? Was the law in itself good or bad? If it was bad, it ought to be abolished; if it was good, it ought to be maintained; and whether the authority were ecclesiastical or temporal, and whether it stood in the first instance on Canon Law or on Common Law, appeared to be wholly beside the question. He passed now to another point on which he would admit there was a good deal to be said for the Bill. He referred to the cases of individual hardship, which the present state of the law undoubtedly created in many instances. The persons who desired to contract this marriage must needs belong to one of two classes. They must either be persons whose desire to contract the marriage arose before the death of the first wife, or else persons whose desire to contract the marriage arose after the death of the first wife. He need not take up much time in arguing the case of the first class of persons. There might be men who watched over a wife's death bed, anxious only because the footsteps of death seemed to be so slow, and who were sometimes guilty of thinking of furnishing afresh the marriage table before the funeral meats had been baked and had had time to grow cold. There might be women who in the same way watched for a sister's death, and who were not ashamed to walk over a sister's tomb into a sister's place. Such things were related in works of fiction, and he would not deny that sometimes they might occur in real life. But these persons certainly needed no sympathy, and they were not entitled to the protection of an exceptional Act of Parliament. There remained, however, the other class of persons in whom the desire to contract this marriage arose after the death of the first wife. It would be unjust to deny that with such persons from time to time cases of great hardship did arise, although the extent to which the hardship went was extravagantly overstated; while, on the other hand, the reasonable grounds which ought to prevent the arising of cases of hardship were very much understated, and were sometimes wilfully forgotten. To begin with, every man knew that the marriage could not be legally contracted. Was it true that the widowers of England had no sisters of their own? In the supreme sorrow of a man's life, would not the sisters of England come and aid and comfort their brothers? Was it true that the great majority of widowers desired to marry at all—or, if so, that they desired to contract that particular marriage with the particular person against whom the prohibition was registered? Any candid man must answer those questions in the negative; and, if so, what was the result? The practical result was that for the sake of a minority—or rather of a minority of a minority, who alone were entitled to compassion—it was proposed to destroy for the great majority of mankind that relation which they found infinitely profitable and delightful. The noble Earl, to whom he always listened with interest, and generally with amusement, had said that he did not think much of that kind of argument, because, he said, he was an example to the contrary. He had, he said, charming sisters-in-law, of whom he was very fond; but he did not wish to marry them. He could not help suggesting to his noble Friend that at present the advocates of that Bill did not propose that a man might marry two sisters at the same time. It was only suggested that he might do so in succession. The question only arose at a subsequent stage. Their Lordships had listened to a speech from his noble and learned Friend (Lord Bramwell), who always brought force, and freshness, and vigour of mind into any question which he approached. He approached everything that his noble and learned Friend said with some degree of diffidence—first, because he had been brought up to have a great regard and sincere respect for him; and next, because he had, at different times, suffered heavily at the hands of his noble and learned Friend. But he could not help thinking that the argument of his noble and learned Friend, apart from the manner in which it was delivered, and the jokes which it contained, resolved itself at last into nothing more than a powerful and pungent assertion of his own views, and vigorous and unmitigated, although good-natured, scorn of those who disagreed with him. His noble and learned Friend could not understand how any intelligent person could entertain a different opinion. His argument really came to this—Was it a prohibited marriage? A great number of people wanted to contract it, and did contract it. If so, they contracted it in very painful circumstances. Therefore, the abominable law which forbade them ought to be abolished. Then his noble and learned Friend, with needless candour, said that he did not go into the question as a theologian. Well, he had been furnished upon the highest authority with the true definition of affinity—

> "Affinity is terminated in the husband himself from the wife's kindred, and in the wife herself from the husband's kindred."

His noble and learned Friend might say it was a thing which nobody could understand, but it was one which the Christian world for 2,000 years had had no difficulty in understanding; and he thought that if his noble and learned Friend had brought the great powers of his mind to bear upon it he would have found no difficulty in understanding it. But strong assertion, ridicule, and jokes were not the means by which that question could be decided. The relations between men and women, the deepest feelings of the heart, the most sacred obligations of religion, did not admit of being impaled upon the horns of a dilemma, or put aside by jokes, however good, or assertions, however strong. With respect to the law of our Colonies, all he had to say had been already stated by the noble and learned Earl opposite, with whom he entirely concurred. If the advocates of that Bill were sincere, if they desired to commend it to impartial minds, if they wished to remove from it the stigma of its being a partial and interested measure, let them apply it to both sexes equally, let them frame it on some broad and intelligible principle, let them make their proposals in such a way that affinity and consanguinity should no longer be considered for any purpose the same. He did not say that such a proceeding would induce him to vote for such a measure. As at present advised, he should strongly oppose it. But, at all events, it would then be a measure founded upon arguments far more worthy of consideration, and arguments requiring grave thought, and entailing much difficulty to answer. But the Bill, in its present shape, was the fruit only of an interested clamour, and was unworthy of Parliament, and most especially unworthy of their Lordships' House.

THE BISHOP OF ROCHESTER said, he was sorry to stand between the House and a Division; but he conceived it to be the duty of those Members of that House who had special information on a subject to communicate that information to the House. That must be his excuse for addressing their Lordships for the first time. Some years ago, he was incumbent of the parish of St. Giles-in-the-Fields, of which the population was 37,000, 25,000 of whom were under his own care. The parish included all grades of the working classes, from the costermonger to the journeyman baker. When he first went to the parish that question was rapidly coming to the front, and he wished to ascertain what the opinion of his parishioners was upon the subject, and how far they regarded the prohibition as a class grievance. For that purpose he availed himself of the services of eight men of intelligence and high character, who were well acquainted with all classes in the parish. Without giving those men any bias one way or the other—because at that time he had formed no definite opinion on the subject—he sent them among the poor of his parish and requested them to ascertain within the next few months, by means of conversation, what their feelings were with regard to this measure, and to reply to three questions which were put to them. The three questions were—First—"Did you ever know the subject introduced by the poor themselves?" Second—"Is there any bias among the women of the poorer classes in favour of this change in law?" And, thirdly—"Is there reason to believe that the existing state of the law is regarded by the working classes as a class grievance?" In answer to the first question, seven out of eight of his informants replied "Never," while one said that the subject had been introduced by the poor themselves on six occasions. To the second question, seven out of the eight gave a decided negative, and one said that it was looked upon as a matter of prudence; and where the marriage had already been contracted, especially if there were many in the family, both parties, but especially the woman, was decidedly in favour of the Bill. But, perhaps, their Lordships might be of opinion that the answer given to the third question was the most important of all. All the eight answered it decidedly in the negative. He had also an opportunity of discussing this question with a number of working men, in a friendly manner; and with candour he was perfectly willing to admit that out of these eight men four, as a matter of personal preference, were in favour of it, and four were against it. They scouted the idea, when he put it to them, of its being treated by the working men as a class grievance; and one of them, who advocated a change of the law, said with emphasis that working men had no intention to break the law; they were perfectly prepared to obey it as it stood. Of course, he was not going to be so preposterous as to ask their Lordships to take this evidence as conclusively in favour of the assertion that the working classes were opposed to the proposed change in the law; but they had a right to claim from those who stated that they had the opinion of the working classes on their side an exhaustive, honest inquiry of the kind he had made, and they would see the result.

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De L'Isle and Dudley, L.
Derwent, L.
Dorchester, L.
Elphinstone, L.
Erskine, L.
Fitzhardinge, L.
Gormanston, L. (*V. Gormanston.*)
Greville, L.
Gwydir, L.
Haldon, L.
Hare, L. (*E. Listowel.*)
Harris, L.
Hastings, L.
Hopetoun, L. (*E Hopetoun.*)
Hothfield, L.
Houghton, L.
Howth, L. (*E. Howth.*)
Inchiquin, L.
Kenmare, L. (*E. Kenmare.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Lawrence, L.
Leigh, L.
Loftus, L. (*M. Ely.*)
Londesborough, L.
Lurgan, L.
Lyttelton, L.
Methuen, L.
Monson, L.
Monteagle of Brandon, L.
Mostyn, L.
Ormathwaite, L.
Ormonde, L. (*M. Ormonde.*)
Penzance, L.
Poltimore, L.
Ramsay, L. (*E. Dalhousie.*) [*Teller.*]
Reay, L.
Ribblesdale, L.
Rodney, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Rossmore, L.
Sandhurst, L.
Saye and Sele, L.
Sefton, L. (*E. Sefton.*)
Shute, L. (*V. Barrington.*)
Skene, L. (*E. Fife.*)
Somerhill, L. (*M. Clanricarde.*)
Somerton, L. (*E. Normanton.*)
Stanley of Alderley, L.
Strafford, L. (*V. Enfield.*)
Strathspey, L. (*E. Seafield.*)
Sudeley, L.
Suffield, L.
Teynham, L.
Thurlow, L.
Tollemache, L.
Tredegar, L.
Truro, L.
Tweeddale, L. (*M. Tweeddale.*)
Tweedmouth, L.
Tyrone, L. (*M. Waterford.*) [*Teller.*]
Walsingham, L.
Waveney, L.
Wentworth, L.
Westbury, L.
Wimborne, L.
Wolverton, L.
Worlingham, L. (*E. Gosford.*)

NOT-CONTENTS.

Canterbury, L. Archp.
Selborne, E. (*L. Chancellor.*)
York, L. Archp.
Buckingham and Chandos, D.
Grafton, D.
Leeds, D.
Marlborough, D.
Northumberland, D.
Richmond, D.
Rutland, D.
Somerset, D.

Bath, M.
Bristol, M.
Exeter, M.
Hertford, M.
Salisbury, M.
Winchester, M.

Amherst, E.
Beauchamp, E. [*Teller.*]
Brooke and Warwick, E.
Cairns, E.
Carnarvon, E.
Dartmouth, E.
De La Warr, E.
Denbigh, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Dundonald, E.
Effingham, E.
Ferrers, E.
Feversham, E.
Gainsborough, E.
Haddington, E.
Hardwicke, E.
Harewood. E.
Jersey, E.
Lanesborough, E.
Lindsey, E.
Lucan, E.
Manvers, E.
Mar and Kellie, E.
Milltown, E.
Morton, E.
Mount Edgcumbe, E.
Nelson, E.
Powis, E.
Ravensworth, E.
Redesdale, E.
Rosse, E.
Selkirk, E.
Shaftesbury, E.
Sondes, E.
Stanhope, E.
Strathmore and Kinghorn, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E.
Wilton, E.

Bridport, V.
Cranbrook, V.
Hardinge, V.
Hawarden, V.
Melville, V.
Sidmouth, V.
Strathallan, V.
Templetown, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Carlisle, L. Bp.
Chichester, L. Bp.
Durham, L. Bp.
Ely, L. Bp.
Exeter, L. Bp.
Gloucester and Bristol, L. Bp.
Hereford, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Manchester, L. Bp.
Oxford, L. Bp.
Peterborough, L. Bp.
Rochester, L. Bp.
Salisbury, L. Bp.
St. Albans, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.
Winchester, L. Bp.

Amherst, L. (*V. Holmesdale.*)
Arundell of Wardour, L.
Ashford, L. (*V. Bury.*)
Balfour of Burleigh, L. [*Teller.*]
Blachford, L.
Borthwick, L.
Botreaux, L. (*E. Loudoun.*)
Brancepeth, L. (*V. Boyne.*)
Braybrooke, L.
Brodrick, L. (*V. Midleton.*)
Brougham and Vaux, L.
Castlemaine, L.
Chelmsford, L.
Clanbrassill, L. (*E. Roden.*)
Clements, L. (*E. Leitrim.*)
Clinton, L.
Colchester, L.
Coleridge, L.
Congleton, L.
Crewe, L.
Delamere, L.
Denman, L.
De Saumarez, L.
Digby, L.
Dinevor, L.
Donington, L.
Douglas, L. (*E. Home.*)
Egerton, L.
Ellenborough, L.
Emly, L.
Forbes, L.
Gage, L. (*V. Gage.*)
Gerard, L.
Hammond, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Hawke, L.
Heytesbury, L.
Hylton, L.
Keane, L.
Kenlis, L. (*M. Headfort.*)
Ker, L. (*M. Lothian.*)
Lamington, L.
Lovel and Holland, L. (*E. Egmont.*)
Lyveden, L,
Massy, L.
Middleton, L.

Minster, L. (*M. Conyngham.*)
Moore, L. (*M. Drogheda.*)
Mowbray, L.
O'Neill, L.
Oranmore and Browne, L.
Penrhyn, L.
Polwarth, L.
Ponsonby, L. (*E. Bessborough.*)
Raglan, L.
Rayleigh, L.
Ross, L. (*E. Glasgow.*)
Sackville, L.
Saltersford, L. (*E. Courtown.*)
Saltoun, L.
Scarsdale, L.
Silchester, L. (*E. Longford.*)
Strathnairn, L.
Sundridge, L. (*D. Argyll.*)
Templemore, L.
Trevor, L.
Watson, L.
Wigan, L. (*E. Crawford and Balcarres.*)
Windsor, L.
Wimmarleigh, L.
Wynford, L.
Zouche of Haryngworth, L.

Resolved in the *affirmative.*

Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

THE EARL OF STRADBROKE said, he claimed to have his vote recorded for the Bill, on the ground that he had been accidentally shut out from the House when the Division was about to be taken.

Moved, "That the vote of the Earl of Stradbroke be recorded."

EARL GRANVILLE said, he regretted that, by any mistake, the noble Earl should have been excluded; but he was afraid there was no precedent for the privilege which he claimed.

EARL CAIRNS said, the noble Earl was in the House, and the door was shut in his face.

EARL GRANVILLE said, if the noble Earl was actually in the House, there was no reason why his vote should not be recorded.

THE EARL OF STRADBROKE explained to the House that he was in the Writing Room at the time.

EARL GRANVILLE said, he was afraid, if that was so, they had lost the vote of the noble Earl.

On Question? *Resolved* in the *negative.*

House adjourned at Eight o'clock,
till To-morrow, a quarter
past Ten o'clock.

HOUSE OF COMMONS,

Monday, 11*th June,* 1883.

MINUTES.]—PRIVATE BILL (*by Order*)—*Considered as amended*—Exeter, Teign Valley, and Chagford Railway *.

PUBLIC BILLS—*Second Reading*—Local Government (Ireland) Provisional Orders (No. 2)* [211]; Sale of Liquors on Sunday (Ireland) [130], *debate adjourned.*

Report of Select Committee—Forest of Dean (Highways) *.

Committee—Report—Lord Alcester's Grant (*re-comm.*) [207]; Lord Wolseley's Grant (*re-comm.*) [208].

Considered as amended—Registry of Deeds (Ireland) * [202].

Third Reading—Local Government Provisional Order (No. 2)* [143]; Consolidated Fund (No. 3),* and *passed.*

PRIVATE BUSINESS.

LONDON COMMISSIONERS OF SEWERS (VENTILATION OF RAILWAYS) BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

MR. ANDERSON, in moving—

"That the Bill be referred to a Hybrid Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection,"

said, that the object of his Motion was to secure that the Bill should be referred, not to an ordinary Private Bill Committee, but to a Hybrid Committee; and he could hardly understand how there could be any reason for objecting to a Motion such as that. His desire, of course, was to enable persons to appear before a Committee, without being compelled, in the first instance, to establish a *locus standi.* That was the usual course in cases in which the public interests were involved—namely, to refer the Bill to a Hybrid Committee, for the purpose of having the public interests properly represented. Nobody would pretend that the Metropolitan Board of Works represented the public interests, or the interests of the ratepayers. Nor would anybody contend that the London Commissioners of Sewers represented the public interests. The interests of those who travelled by the District Railway were not likely to be served by the rejection of the present proposition, which was simply to enable persons who were interested in the question to appear before the Committee, without being obliged, in the first place, to establish a *locus standi.* So far the House had taken a most unfortunate course with regard to these Bills. It had deliberately suspended the Standing Orders, in order to undo legislation which it had approved of and sanctioned a very short time ago; and the mode in which it was proposed to undo that legislation was, in his opinion, of a most objectionable character. The Bill simply provided that these ventilators should be closed, and that the expense of closing them should be borne by the public. Not only was the expense of closing them to fall upon the public, but the original expense of opening them was also to fall upon the public. It was estimated that the expense of opening, and the expense of closing them, would reach altogether the sum of £40,000; and it was proposed by these Bills to throw this burden upon the ratepayers of the Metropolis. The ratepayers of London had, therefore, every reason for opposing this Bill; and it was desirable that persons who professed to represent the ratepayers, other than the Commissioners of Sewers and the Metropolitan Board of Works, should be able to appear before the Committee, and state their objections to this proposal to throw upon them a charge of £40,000. Unless his Motion were agreed to, the ratepayers would have no means whatever of opposing this exorbitant and improper charge upon them. But if the Bill were referred to a Hybrid Committee, the ratepayers could come before that Committee, and give evidence to show what their opinions were; whereas, before a Private Bill Committee, they would be obliged, in the first place, to establish a *locus standi.* He thought it would be a most objectionable course if the public were not to be represented in the same way as they were upon occasions when the general public interests were at stake. It was frequently the case that the Board of Trade represented the public, and the Board of Trade insisted on Hybrid Committees, in order that the public interests might be properly protected. On this occasion the Board of Trade had neglected its duty. It ought to have come forward in the interests of the public; but it had failed to do so, and the only thing he could do was to move that these Bills be referred to a Hybrid Committee. He had spoken of the burden of £40,000 which it was proposed to throw improperly upon the public. There was, however, another burden—namely, that of suffocation, which was to be thrown upon the travellers by the Railway; and yet they were to have no power to appear before the Committee of their own Motion, but were to be at the mercy of the Metropolitan Board of Works and the Commissioners of Sewers. He said nothing about the Railway Company. He desired to leave the Railway Company to fight its own battle. He had nothing to do with them, and he was speaking solely in the interests of the public, upon whom it was proposed to inflict the burden of £40,000, and in the interests of the travellers by the Railway, whom it was proposed by the Bill deliberately to suffocate. He intended to propose, in the case of both of these Bills, that a Hybrid Committee should be appointed, instead of an ordinary Private Bill Committee. He begged to move the Resolution which stood in his name.

Motion made, and Question proposed,

"That the Bill be referred to a Hybrid Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection."—(*Mr. Anderson.*)

MR. LABOUCHERE said, his hon. Friend had made an extremely good speech, no doubt; but it was a speech which ought to have been made upon the second reading of the Bill. The object of his hon. Friend was to secure an independent representation of the public before the Committee to whom the Bill was referred. It appeared to him (Mr. Labouchere) that if they were to have four Members of the Committee appointed by the Committee of Selection, the Metropolitan Board of Works would represent the ratepayers before that Committee. He was certainly surprised to hear from his hon. Friend that the Metropolitan Board of Works did not represent the ratepayers of the Metropolis. So far as he knew, the Board of Works was the only representative the ratepayers of the Metropolis had. Not only would the Metropolitan Board of Works be heard, but the Commissioners of Sewers would also represent the interests of the public; and, on the other side, the Railway Company would naturally seek to oppose the Bill, and would call all witnesses who would be able to speak on their behalf. Of course, they would call a reasonable number of travellers on the Underground Railway in support of their case, who would be able to say whether or not the contention of his hon. Friend, that they were likely to be suffocated by the passing of the Bill, had any foundation. There was no reason for saying that other evidence would not be submitted to a Committee appointed by the Committee of Selection; whereas, if the proposal of his hon. Friend were agreed to, there would be a Committee of seven, three of whom would be appointed by the Committee of Selection and four by the House, who would consist, he presumed, of two advocates on one side and two on the other. That was a fair presumption, and it was what was done when a Committee was appointed in this manner. After the Railway Company had given evidence, and after evidence had been heard on behalf of the Metropolitan Board of Works and the Commissioners of Sewers, if the Committee was a hybrid one, any gentleman who had a fad about this Railway would be able to come forward and give evidence. Now, he was a ratepayer of the Metropolis himself, and he objected to spend the public money in feeing counsel in order to examine all these amateur witnesses. Even when the case was closed they would have to discuss and settle the matter between two advocates on the one side and two on the other. There was, therefore, no reason, he thought, for departing from the usual course of procedure in these matters. And he would beg to move that all the words of the Amendment after "That the Bill be referred to a" be struck out, and "a Committee of Four Members" be substituted.

Mr. SPEAKER pointed out that an Amendment of that nature was not necessary.

Mr. LABOUCHERE said, he would confine himself, therefore, to opposing the Motion, as he understood the same object would be gained by negativing it.

Baron HENRY DE WORMS said, he had not much to say in addition to what had fallen from the hon. Member for Northampton (Mr. Labouchere); but he felt bound to oppose the proposition of the hon. Member for Glasgow (Mr. Anderson) to refer the Bill to a Hybrid Committee. The question raised was not whether the course taken by the Railway Company was right or not. In point of fact, the Company had taken powers under a previous Bill, and they had misused them. His objection to the Motion of the hon. Member for Glasgow was simply that, as a rule, a Hybrid Committee represented a particular interest; whereas it was essential, in the inquiry they were about to enter into, to consider the question in a merely judicial spirit. The Metropolitan Board of Works and the Corporation of London were not represented upon the Committee, but were perfectly content to submit the matter to an ordinary Committee, in which they had complete confidence. It was because he believed that all the questions at stake would be much more fairly discussed, and that much less waste of time and expense would be involved by referring the Bill to an ordinary rather than to a Hybrid Committee, that he opposed the Motion.

Mr. CROPPER said, he rose to support the Motion of his hon. Friend the Member for Glasgow (Mr. Anderson). The hon. Member for Northampton (Mr. Labouchere) said the speech of his hon. Friend ought to have been made on the second reading. He (Mr. Cropper) thought that speeches to a similar effect had been made on the second reading. At any rate, he had said all he could on the second reading against the proposal to close the ventilators. He thought it was an important point now that they should select as good a Committee as possible. The question was settled, and therefore was not worth arguing, whether these ventilators should be retained or not. But it was important that some good system should be proposed and adopted. He thought, if that question were well put before the Committee, and if the Committee were as large as possible, some good result might be brought about in the interests of the millions of people who travelled underground, and whose welfare ought to be considered in the question. His opinion was that the ventilators themselves were an improvement. He did not think they were any eyesore to speak of; and he thought that all the weight which could be given to the Committee should be given to it. He supported the Motion, because he believed that a large Committee would be able to act more satisfactorily than a small one.

Sir JAMES M'GAREL-HOGG hoped the House would not adopt the proposal of the hon. Member for Glasgow. He quite agreed with the hon. Member for Kendal (Mr. Cropper) that they ought to have a good Committee; but his experience of the House did not teach him that the goodness of a Committee consisted in the fact that it was composed of an extreme number. All they wanted was an intelligent Committee, who would devote their time to the consideration of the questions referred to them. Such a Committee would be able to come to a much better decision than a Hybrid Committee, upon which there would probably be two advocates on the one side and two on the other. For instance, if he were placed upon the Committee—which he presumed he would be—in such a case everybody would know how he should vote, and the only effect would be to leave the decision of the question to the Chairman and the other two Members of the Committee appointed by the Committee of Selection. Before an ordinary tribunal the Railway Company could call what evidence they liked, and the Metropolitan Board of Works and the Commissioners of Sewers would also be able to call any amount of evidence to show that these ventilators were a disfigurement to the Embankment, and that in the City they were dangerous to the traffic. The hon. Member for Glasgow (Mr. Anderson) had observed that the expense to the ratepayers of pulling down the ventilators would be about £40,000. He wanted to know if the hon. Member had ever thought over, in his own mind, the sum which the Embankment had cost the ratepayers of the Metropolis? It was much nearer £2,000,000 than £1,000,000; and it would be a great mistake to allow the Railway Company to take land for which they had never paid, but for which the ratepayers had paid for the enjoyment of the public. Surely, then, it was a matter of great importance to the people of the Metropolis that the Railway Company should not be allowed to take away a large portion of the Embankment from the enjoyment of the public, for which the Company did not propose to give one farthing in return. Nor had they made any use of their own property for the construction of these ventilators; but their sole desire seemed to be to put money into the pockets of their shareholders. He hoped the House would adhere to their original intention, and send the Bill to an ordinary Committee in which they would all have confidence. The Committee of Selection would take care to appoint good men upon it; and four men were, in his opinion, much better than seven or 17. He hoped the House would negative the Motion of the hon. Member for Glasgow; and that both in regard to this Bill and the Bill brought in by the Metropolitan Board of Works they would appoint the ordinary Committee in the usual manner.

Mr. THOROLD ROGERS said, the hon. and gallant Gentleman opposite had supplied his opponents with an argument in support of the Motion, because he said that if an ordinary Committee was appointed, he (Sir James M'Garel-Hogg) would certainly be placed upon it.

Sir JAMES M'GAREL-HOGG said, he did not think the hon. Member had rightly heard him. What he had said was, that he had no desire to be upon a Hybrid Committee, because his views would be known, and his vote would be known, and he wished to have an independent Committee consisting of men who would have no interest in the matter except that of the public good.

Mr. THOROLD ROGERS said, the answer to that was that an independent Committee had already allowed these ventilators to be made. He thought a Hybrid Committee, selected with ordinary care, would take into consideration the interests which the public had in the matter; and in the event of a Hybrid Committee being appointed, an opportunity would be afforded to the Committee of hearing a large number of persons who could not appear before an ordinary Private Bill Committee, and who, therefore, could not otherwise make their complaints known. It was said, he did not know with what justice, that a large number of working men in London considered that some system of ventilation ought to be adopted, in order to secure their health and comfort in travelling along the Railway in crowded trains. It therefore might be worth while, during the sitting of the Committee, to ask some questions of the working men themselves, in order to ascertain what their views upon the matter were; and, therefore, he thought his hon. Friend the Member for Glasgow (Mr. Anderson) had done well in bringing the question forward. Then, again, he did not look very favourably upon the alliance between the Metropolitan Board of Works and the City of London. He did not think that the Metropolitan Board of Works was the most popular Body in London at the present time; and he did not think it would do much good to prevent public opinion being heard before the Committee. He should certainly support his hon. Friend if he carried his Motion to a division. He was bound to say that, under the circumstances of the case, it would be the duty of the Committee to ascertain the best means by which the Railway could be ventilated.

Mr. Alderman W. LAWRENCE said, the Corporation of London, the Commissioners of Sewers, and the Metropolitan Board of Works were all agreed that the best way to bring this matter to a speedy termination would be to refer it to an ordinary Committee in the usual way. Those who opposed the introduction of the Bill now moved that the Committee should be appointed in a different way from the usual way, and it was plain that their object was to delay the measure. His hon. Friend the Member for Southwark (Mr. Thorold Rogers) said there were millions of people travelling by this Railway, and it was the duty of the House to see that they were not smothered by the smoke which the Railway Company emitted from their engines. At the same time, his hon. Friend pointed out that the ventilation might be conducted in a better manner than it was at present. No doubt, the Railway could be ventilated in a different manner from that which was now adopted. He therefore hoped the House would not be led away by those who opposed the Bill, and that they would not, by adopting the Motion of the hon. Member for Glasgow (Mr. Anderson), shunt the Bill to another Committee.

Mr. STEWART MACLIVER said, that his hon. Friend the Member for Glasgow had travelled for a good many years upon this Railway, and he did not see that his hon. Friend had suffered very much in consequence. Until the Railway Company took steps to promote the ventilation of their Line, he hoped the House would persist in the course they were taking of preventing them from ventilating it at the expense of the public. He hoped the House would reject the Motion, and refer the Bill to an ordinary Committee appointed by the Committee of Selection.

Question put.

The House *divided*:—Ayes 73; Noes 171: Majority 98.—(Div. List, No. 124.)

Bill *committed.*

QUESTIONS.

ALKALI WORKS ACT, 1881—REPORTS OF INSPECTORS.

Sir R. ASSHETON CROSS asked the President of the Local Government Board, When the Reports of the Inspectors under the Alkali Works Act, 1881, will be in the hands of Members?

Sir CHARLES W. DILKE: Sir, The Reports of the Inspectors under the Alkali Works Act, 1881, were in the hands of the printers shortly before Notice was given of this Question. The printing is being expedited; but the printers tell me it will be a fortnight before proofs can be obtained, which seems a long time. No delay that can be avoided shall take place, and arrangements will be made that in the coming year the Reports shall be presented at an earlier date.

NAVY—DOCKYARD SHIP FITTERS.

Mr. BROADHURST asked the Secretary to the Admiralty, Whether it is the intention of the Admiralty to make any alteration with regard to the ship fitting branches; and, whether it is contemplated to withdraw the shipwrights' apprentices from the fitting shops in the two dockyards where, under the new system, they have been introduced?

Mr. CAMPBELL-BANNERMAN: Sir, the Report of the Committee, presided over by the Civil Lord of the Admiralty, which has inquired into the Constructors' Department, deals with the two questions raised by my hon. Friend the Member for Stoke. I hope that that Report will very shortly be laid on the Table, and it will supply a much more complete reply to my hon. Friend's inquiry than I could give in answer to him at this time. I would therefore ask him to await its production, and I trust there will be very little delay.

EGYPT—EGYPTIAN EXILES IN CEYLON.

MR. LABOUCHERE asked the Under Secretary of State for Foreign Affairs, Whether he has received a Letter, signed by the Egyptian exiles in Ceylon, regarding their view of the engagements entered into between Her Majesty's Government and them on the occasion of their pleading guilty to the charge of rebellion against the Egyptian Government, together with a copy of a Letter on the same subject from Mr. Mark Napier, also a Letter from Toulba Pacha in regard to a change in his place of exile; whether he will lay these Papers upon the Table of the House; and, whether any steps are being taken to secure to the exiles the minimum allowance which the Governor of Ceylon has stated is requisite for them, viz. £50 per month to each family?

LORD EDMOND FITZMAURICE: Yes, Sir; these Papers will be laid upon the Table. It is under consideration, in distributing the additional £500 recently awarded to the prisoners, to distinguish the different cases so far as possible, and to assist those most in need. Her Majesty's Government are in communication with Sir Edward Malet and the Governor of Ceylon in the matter.

MR. LABOUCHERE asked whether the houses free of rent which these exiles now occupied would be taken from them?

LORD EDMOND FITZMAURICE: That is a further question which will be taken into consideration in connection with what I have just now stated.

MR. LABOUCHERE: Are we to understand that no effect is to be given to the views of the Governor of Ceylon that these exiles ought to have from £40 to £50 a-year allowed them in place of the rent of these houses?

LORD EDMOND FITZMAURICE: A distinction will be drawn according to their circumstances. We are informed on very good authority that one of these exiles is well off; in fact, their circumstances vary. My hon. Friend will see that it would not be wise to treat all exactly the same. We are waiting further explanations on the subject.

MR. E. STANHOPE: Is it true that the first act of the Governor of Ceylon, on returning to the Island after a three months' leave of absence, was to give a banquet to Arabi Pasha and his fellow-prisoners?

LORD EDMOND FITZMAURICE: I have no information on that point.

SIR HENRY HOLLAND: Will the noble Lord say whether a Copy of the despatch of the Governor of Ceylon will also be laid on the Table?

LORD EDMOND FITZMAURICE: I must ask my hon. Friend to give Notice of that Question.

LAND LAW (IRELAND) ACT, 1881—IRISH LAND COMMISSION—SECTION 60—"CHAINE *v.* NELSON."

MR. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the recent decision of the Common Pleas Division of the High Court of Justice in Ireland, in the case of Chaine *v.* Nelson, had the effect of altering the view taken of the sixtieth section of the Land Act by the Land Commissioners, and showing that their action under this section had been ultra vires; whether a special Circular was issued by them on 21st May, intimating that, in consequence of the decision of the Court of Common Pleas, the date of the judicial rent commencing to accrue is the gale day next after the actual decision fixing such rent, and not earlier; if it is the case that, notwithstanding such Circular, the Sub-Commissioners, or some of them, continue to use the form of order as previously; and, what steps it is proposed to take to modify the orders already made, but now decided to have been illegal?

MR. TREVELYAN: I understand, Sir, that the personal opinion of the Land Commissioners remains unchanged; but they, of course, accept the decision of the Common Pleas Division so long as it remains unaltered on appeal. With regard to the Circular of the 21st of May, the circumstances are that numerous inquiries having been made as to the effect of the decision, the Commissioners thought it right to prepare a Minute showing that effect. The Order to which the hon. Member refers directs and determines no question relating to the judicial rent. It merely uses the words of the 60th section of the Act of 1881.

Mr. TOTTENHAM: The right hon. Gentleman has not answered the last part of my Question, which refers to Orders already made.

Mr. TREVELYAN: I presume the Commissioners are awaiting the result of the appeal, which, I am told, will be determined very shortly.

PUBLIC HEALTH—VACCINATION—DEATH IN ST. PANCRAS WORKHOUSE.

Mr. HOPWOOD asked the President of the Local Government Board, If his attention has been called to the proceedings at an inquest on Saturday last respecting the death of Herbert Walsh, vaccinated in St. Pancras Workhouse by the public vaccinator, in which a medical witness attributed the death of the child to the cessation of mother's milk caused by the mother having been re-vaccinated without her consent being asked the day after the child's birth; to the statement of the public vaccinator that in re-vaccinating mothers a few hours after their confinement he was acting under the advice and with the knowledge of the Local Government Board; whether the child was vaccinated when only eight days old; whether the Local Government Board approve of the re-vaccination of a woman, with or without her consent, so early after her confinement while nursing her infant, or of the vaccination of an infant so young; and, whether the Board will issue directions to restrain a practice attended with such results?

Sir CHARLES W. DILKE: Sir, the Board have obtained a copy of the depositions taken at the inquest respecting the death of Herbert Walsh. It was stated by a medical practitioner at the inquest that he was of opinion that the vaccination of the mother caused the flow of milk to cease, and the verdict of the jury was to the effect that the child died from inanition or wasting, caused by the absence of the mother's breast milk and want of proper nourishment. On the other hand, three medical men, including Dr. Sharkey, assistant physician at St. Thomas's Hospital, and Dr. Henderson, pathologist of St. Mary's Hospital, who were examined at the inquest, could see no connection between the suppression of the milk of the mother and the vaccination; and, in fact, there was no cessation of the milk for a month after the time when the woman was vaccinated. The mother was re-vaccinated on the day after her confinement. She was admitted into the workhouse in labour, and was delivered early in the afternoon of the same day. There had consequently been no previous opportunity of re-vaccinating her. The labour was a natural one, and the mother was progressing favourably; and the medical officer was satisfied, from his previous experience, that the operation could be performed without injurious effect. With regard to the question whether the consent of the woman to the re-vaccination was obtained, the medical officer in his evidence at the inquest stated that the mother knew that she was going to be vaccinated, and raised no objection; and that in cases where objection has been made he has not vaccinated. The Board have not advised the re-vaccination of mothers a few hours after their confinement, and the Board have no reason to suppose that this is a general practice. The child was vaccinated when eight days old. As regards the re-vaccination of mothers on the day after their confinement, the Board have been content to leave this to the discretion of the medical attendant, who can best estimate the risk of small-pox encountered by the woman during her stay in the lying-in ward. The Board have not had occasion to announce their approval or disapproval of the practice; but, under ordinary circumstances, would think it better that any required re-vaccination should not be associated with the accidents of the lying-in room. With regard to the vaccination of infants a few days after birth, I would refer to my answers to Questions on the 20th of February and the 6th of March. With respect to the case of the mother referred to in the Question, the Board will communicate with the medical officer.

ARMY PAY DEPARTMENT—THE COMMITTEE ON DRESS OF THE ARMY.

Colonel O'BEIRNE asked the Secretary of State for War, Why the Army Pay Department is the only Department that has not an officer to represent it on the Committee which is now sitting, under the presidency of Colonel Harrison, R.E., for the purpose of remodelling the equipment and the uniform of the Officers of the Army; and, whether it is a fact that there are now 278 Officers serving in the Army Pay Department?

Sir ARTHUR HAYTER: Sir, there are no Departmental officers on this Standing Committee for remodelling the equipment and uniform of officers of the Army; but if a question affecting a Department be under consideration, the Committee has power to associate with it *ad hoc* a member of the Department concerned. In reply to the second Question of my hon. and gallant Friend, I have to say that on the 1st of May there were 282 officers serving in the Army Pay Department.

ARMY—WITHDRAWAL OF THE ROYAL MARINES.

Colonel KING-HARMAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that the Government intend to withdraw the Royal Marines who have been for some time on special duty in Dublin in aid of the Civil Power?

Mr. TREVELYAN: Sir, it is not intended to keep the Royal Marines permanently in Dublin; their numbers are being gradually reduced, according as it is believed that their services can safely be dispensed with.

ARMY ESTIMATES—VOTE IV.—MEDICAL ESTABLISHMENTS AND SERVICE.

Mr. GIBSON asked the Secretary of State for War, Whether, having regard to the grave charges and insinuations freely brought in evidence before Lord Morley's Committee, and in the Press, against Medical Officers in the late Egyptian war, he will take care that the Vote in the Army Estimates relating to the Medical Service of the Army (Vote 4) is taken at a time when those interested in vindicating the conduct of those officers will have ample opportunity of doing so; can he now name the day on which that Vote will be taken; and, will adequate notice be given of the day selected for taking the Vote?

The Marquess of HARTINGTON, in reply, said, that it would be necessary for the requirements of the Public Service to obtain some Votes for the Army during the course of the present month; but as the Medical Vote was comparatively small in amount, and as the discussion to be raised upon it would probably take a considerable time, he proposed to postpone the Vote until the next following evening on which the Army Estimates were put down. As to the date on which Vote 4 would be taken, he hoped to be in a position to make a statement to the House on the night this month which, as he had stated, would have to be devoted to the obtaining supplies for the Army.

PUBLIC HEALTH—METROPOLITAN ASYLUMS BOARD—HAMPSTEAD HOSPITAL.

Mr. W. M. TORRENS asked the President of the Local Government Board, Whether he will by acquiescence sanction the renewal of litigation by the Metropolitan Asylums Board, with the owners of property and residents of Hampstead, respecting the use of the hospital there for fever or small-pox patients?

Sir CHARLES W. DILKE: Sir, the Lord Chancellor, in delivering judgment, said—

> "I think that there ought to be a new trial in this case, because the verdict of the jury upon the main issue does appear to me to have been founded upon a state of evidence which is not to my mind satisfactory, having regard to the nature and importance of the question to be determined."

The heavy expense which the litigation involves is much to be regretted. The Board have reason to believe that an endeavour has been made to arrive at a compromise, but that the offer has not been entertained by the plaintiffs. In the event of the case proceeding, no sanction on the part of the Board is necessary to enable the managers to defend the action brought against them, and the matter is not one in which the Board have any authority to interfere.

INLAND NAVIGATION, &c. (IRELAND)—BRIDGE ACROSS THE SHANNON.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Is he aware that the Grand Juries of Leitrim and Roscommon have levied and have now on hand a considerable part of the sum requisite to construct a bridge over the Shannon at Upper

Drumkerriff near Drumshambo, and if he will use his influence with the Grand Juries to have this reform carried out, the present dilapitated bridge being on the leading road from Enniskillen to Boyle, and also said bridge causes such an obstruction of the river that much land is consequently often flooded?

Mr. TREVELYAN: I understand, Sir, that this matter is in the hands of a Joint Committee, consisting of members of each of the Grand Juries concerned and the respective County Surveyors. This Committee was not satisfied with the plans originally prepared. Fresh plans are being prepared with all possible despatch, and it is expected that the work will be actually commenced at an early date.

POOR LAW (IRELAND) — BELFAST WORKHOUSE—IRREGULARITIES OF OFFICIALS.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it be true that a young female pauper named Keenan, servant to the matron of the Belfast Workhouse, and under her immediate control, was seduced by a male pauper named Reid, the result of which was a child was born; is it true that Reid was married to another female pauper, prior to Keenan's seduction, named Beckett; is it a fact that Keenan and her child, and Reid and his wife, continue paupers in the workhouse although able-bodied and fit for work, and that Reid holds a position of trust as pauper assistant in the workhouse, which enables him to have access to various parts of the institution; will he, as President of the Local Government Board, cause an inquiry to be made as to how many similar cases of imposition exist in the Belfast Workhouse, and is he able to say whether the guardians have taken any steps to discontinue relief to these recipients, or to prevent a repetition of such disgraceful conduct?

Mr. J. N. RICHARDSON, before the right hon. Gentleman answered the Question, wished to ask him whether he had yet received from the hon. Member for Ennis (Mr. Kenny) the substantiation which he said he would endeavour to obtain of the very serious charges implied in the Question which the hon. Member put on June 1 against the Lurgan Board of Guardians and the officials of the Lurgan Union?

Mr. TREVELYAN: No, Sir; no such communication has been received. In answer to the Question of the hon. Member for Ennis (Mr. Kenny), I have to say that it is true that a woman named Keenan had an illegitimate child, but there is no ground for supposing that the father of the child was in the workhouse. Charges of the character mentioned were made against a pauper named Reid by another pauper named James Cullen, who immediately afterwards left the workhouse, and has not since come forward to substantiate his charges, although every effort has been made to find him and bring him before the Guardians for the purpose. His statements were wholly unsupported, and their truth was distinctly denied by the persons concerned when the Guardians inquired into the matter last September. It is not the case that Reid holds a position of trust as a pauper-assistant. At the time when the charges referred to were made against him he was removed from the position which he formerly held, and has not since been restored to it. He has lately been admitted into the infirmary.

Mr. KENNY: With reference to the Question of the hon. Member for Armagh (Mr. J. N. Richardson), I may state that I am in communication with the gentleman who supplied me with information on that subject, and I expect to be able to substantiate the charge in a few days. At the same time, I have not the slightest doubt of the accuracy of the statement contained in my Question.

TRADE AND COMMERCE—NEW TURKISH TARIFF — BRITISH IMPORTS INTO TURKEY.

Mr. MONK asked the Under Secretary of State for Foreign Affairs, Whether he is able to make any further communication to the House respecting the imposition of an Eight per Cent. Valorem Duty on British Manufactures introduced in the Ottoman Dominions?

Lord EDMOND FITZMAURICE: Sir, Her Majesty's Charge d'Affaires at Constantinople having reported that the British merchants in Turkey have not protested against the imposition of the 8 per cent *ad valorem* duties, he has been instructed that, provided that the British merchants do not object, he may accept those duties, while making a reserve on the part of Her Majesty's Government as to the action of the Porte in suddenly bringing the new Tariff into force in disregard of the assurances given to Her Majesty's Embassy, that no change would be made before October next.

Mr. BOURKE asked under what Treaty the duties were now levied on British manufactures?

Lord EDMOND FITZMAURICE said, they were now levying under the Treaty of 1863.

Mr. BOURKE: So there has practically been no change?

Lord EDMOND FITZMAURICE: They are now levying the Duty under the Treaty as they have a right to levy it up to 8 per cent. British merchants are of opinion that in regard to several important classes of articles this change is by no means unfavourable to our manufacturers, as compared with the Tariff which the Porte claims has expired before the Treaty.

THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—CO. MAYO.

Colonel KING-HARMAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Sub-Commissioners in Mayo have recently refused to allow the agents of landlords, who have been brought into the Court for the purpose of having their rents reduced, to cross examine the tenants on matters of fact; and, whether, as the land agent is the person who, presumably, is the most likely person to elicit the truth in reference to matters connected with the property which he is in the habit of managing, and as there appears to be no Clause in the Land Act which prohibits a person acting as agent for a property, under power of attorney, from personally appearing in a case in which his principal is concerned, he will call the attention of the Land Commissioners to the hardship which is inflicted on owners of property by this new regulation, with the view of enabling the landlords' case to be brought before the Courts in the simplest and fairest way, and without the necessity of extraneous professional advice?

Mr. O'CONNOR POWER: I rise to Order. I wish to direct your attention, Mr. Speaker, to the opening lines of the second paragraph of this Question, which state that—

"Whether, as the land agent is the person who, presumably, is the most likely person to elicit the truth in reference to matters connected with the property which he is in the habit of managing."

I hold a contrary opinion altogether; and I submit that these words are of a distinctly argumentative character, and, according to the Rules of the House, ought not to be put.

Mr. SPEAKER: No doubt, it may be a matter of controversy whether the land agent is the person who is most likely to elicit the truth in reference to matters connected with the property he manages; but, at the same time, I have not thought it necessary to object to the form of the Question.

Mr. TREVELYAN: Sir, the 52nd section of the Land Act specifies the persons who may conduct a case before the Sub-Commission. A landlord's agent is not included in the list; and a Sub-Commission, consequntly, acts properly in refusing to allow an agent to cross-examine a tenant, or, in any way, to conduct a case.

Colonel KING-HARMAN: Have the Sub-Commissioners acted improperly in allowing land agents to cross-examine the tenants up to the present?

Mr. TREVELYAN: I conclude that that is the case. There are only four classes of persons specified in the 52nd section, and undoubtedly the landlord's agent is not included.

POST OFFICE—THE PARCELS POST.

Mr. KENNY asked the Postmaster General, Whether notice has been served on the mail car contractors in Ireland, setting forth that from the 18th of August next no parcel under seven pounds in weight can be received or carried by mail car other than what passes through the Post Office; if, in consequence of the loss which contractors will suffer by this regulation, it is proposed to grant them fair compensation; and, if so, what facilities will be afforded to the contractors to prove their exact losses; and, whether the Post Office authorities have adopted any scale by which to regulate such compensation?

Mr. FAWCETT: In reply, Sir, to the hon. Member's Question, I may say that notice has been served on the contractors for mail services throughout the Kingdom, that parcels up to the weight of 7 lbs. will form part of Her Majesty's mails from the date on which the Parcels Post comes into operation; and in a certain class of contracts it has also been necessary to restrict the carriage of parcels entirely to such parcels as may be sent through the post. The terms of payment under these altered conditions are a matter for negotiation, and a settlement has been already arrived at in a very large number of cases. Where fresh terms cannot be agreed upon, it is open to the contractors to terminate the contract by three months' notice, when the service will be put up to public competition.

TREATY OF BERLIN—ARTICLE X.—THE VARNA RAILWAY.

Mr. DIXON-HARTLAND asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government can now see their way to insist upon the strict fulfilment of Article X. of the Treaty of Berlin, so as to avoid such terms being forced by Bulgaria on the Varna Railway bondholders as practically confiscates their property; whether, the bondholders having been obliged to take the guarantee of Bulgaria for the £140,000 a-year, Her Majesty's Government will take such steps as are necessary to preserve their rights; and, whether, before any final arrangement is agreed to by the agent of Her Majesty's Government at Sofia, he will be directed to secure the payment of all arrears of interest to the bondholders as a precedent condition?

Lord EDMOND FITZMAURICE: Sir, the Bulgarian Government, after long negotiations with the Varna Railway Company, have, at the instance of Her Majesty's Government, agreed in principle to refer the amount of their liability to the arbitration of the Ambassadors of the Great Powers at Constantinople. The precise terms of the agreement of arbitration are still under discussion; and Her Majesty's Government regret that the Bulgarian Government have neglected to answer the last two Notes on the subject addressed to them on the 3rd of April and the 4th of May last. The reason given for the delay being the recent change of Ministry and the absence of the Prince of Bulgaria at Moscow. Her Majesty's Agent at Sofia has been instructed to press urgently for a reply to the above-mentioned communication.

Mr. DIXON-HARTLAND: The noble Lord has not in the least answered my first Question. I would ask him, whether the Bulgarian Government only agreed to remit the matter to arbitration on the absurd condition that the decision should be unanimous; next, whether there has been any alteration of the Ministry at Sofia since March last?

Lord EDMOND FITZMAURICE: The question of unanimity has been one of the points under discussion between Her Majesty's Government and the Bulgarian Government; and it is on this and on other points that, as I stated the other day, Her Majesty's Government regret that they have been unable to obtain any understanding.

Mr. DIXON-HARTLAND: What change has there been in the Ministry at Sofia since the 11th of March?

Lord EDMOND FITZMAURICE: I am not aware that there has been any change of Ministry, but there have been changes of individual Ministers.

Mr. DIXON-HARTLAND said, he would repeat his Question that day week.

THE ELECTORAL FRANCHISE (IRELAND).

Mr. DAWSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that, owing to the defects in registration, many persons in Ireland entitled to the franchise are precluded from obtaining it; whether, owing to the provisions contained in the sixty-third section of the Act 11 and 12 Vic. c. 91, many thousands of persons otherwise entitled to the Poor Law, Municipal, and Parliamentary Franchise in Dublin, are deprived of any share in the selection of Poor Law, Municipal and Parlimentary representatives; and, whether, with a view to encourage Constitutional action in Ireland, he will press forward the Registration Bill he has introduced, and amend it so as to remove the difficulties which at present exclude many thousands of people in Ireland from franchises which the Law intends they should enjoy?

Mr. TREVELYAN: Sir, I am well aware of, and I regret, the circumstances referred to in the second paragraph of this Question, which the hon. Member has in so patriotic a manner brought before me more than once. I think this is a matter which would more properly be dealt with in a measure relating to the franchise, whether Municipal or Parliamentary, than in a Bill dealing exclusively with registration. I almost doubt whether it would be considered within the scope of a Registration Bill by the opponents of the measure. With regard to the defects of the existing system of registration, I may say that among the proposed Irish measures of this Session there is none that I am more anxious to see promptly carried than one dealing with this question. But the delay in the Government Bills has been so great, and was so unexpected by me when I first brought forward my programme of Irish measures, that I must own I have not now the same confidence of being able to get them carried this Session.

MR. DAWSON asked whether it was not a fact that in the English Registration Act of 1878 the provisions referred to in his Question were incorporated from political motives?

MR. TREVELYAN said, the provisions were practically determined by the Act of 1869, introduced by the right hon. Member for Ripon (Mr. Goschen). That Act was undoubtedly of a political nature, and was only carried after considerable discussion.

POOR LAW (IRELAND)—THE RATHKEALE UNION—INSURANCE OF THE UNION BUILDINGS.

MR. SYNAN asked the Secretary to the Treasury, Whether, by letter of the 18th April 1883, the Board of Public Works informed the Board of Guardians of the Rathkeale Union that they had effected an insurance on the Ballastkerry Dispensary buildings for the sum of £1,150, at the rate of 3*s.* per cent.; whether, by resolutions of the 21st March and 2nd May 1883, the Board of Guardians objected to pay more than 1*s.* 6*d.* per cent. being the usual rate in the Union, and whether the rate was reduced in consequence of said resolutions; whether, by resolutions of the 11th April and 2nd May 1883, the Board of Guardians called upon the Board of Public Works to inform them how the sum of £1,150 was apportioned over the separate buildings in order to enable the Board of Guardians to effect an additional insurance; and, whether the Board of Public Works have complied with those resolutions, or will now do so?

MR. COURTNEY: Sir, the facts appear to be correctly stated in the Question; and I learn that the Board of Works have already complied with the resolutions referred to.

POST OFFICE ANNUITIES AND LIFE ASSURANCE TABLES.

MR. HOLLOND asked the Financial Secretary to the Treasury, When the new Post Office Annuities and Insurance Tables, authorised by the Act of last Session, will be ready; and, whether, in view of the fact that these tables must be laid upon the Table of the House thirty days before they come into operation, he can give the House an assurance that they will be presented in sufficient time to be approved during the present Session, and thus avoid another year's delay in bringing the Act into operation?

MR. COURTNEY: Sir, I have agreed with my right hon. Friend the Postmaster General, that the two sets of tables should be issued together. The Actuarial Reports on which the annuity tables must be founded are still under review; and, though the work will be pressed forward, I do not think I could give the assurance for which my hon. Friend asks.

ARTIZANS' AND LABOURERS' DWELLINGS ACTS—REBUILDING.

SIR R. ASSHETON CROSS asked the Secretary of State for the Home Department, What provisions have been agreed to between the Secretary of State and the Commissioners of Sewers as to rebuilding on the sites cleared under the Artizans' and Labourers' Dwellings Acts 1875 and 1882; and, when the Correspondence, for the production of which an Address was agreed to on the 3rd May, will be in the hands of Members?

SIR WILLIAM HARCOURT said, the terms of the arrangement relating to the various sites would be found in the Correspondence which was in the hands of the printers, and would shortly be laid upon the Table.

SIR R. ASSHETON CROSS asked the Secretary of State for the Home Department, When a Bill will be brought in for confirming the Provisional Orders made in the four schemes under the Artizans' and Labourers' Dwellings

Acts, 1875 and 1882, brought forward by the Metropolitan Board?

Sir WILLIAM HARCOURT said, that the Bill had been already brought in.

GOVERNMENTAL DEPARTMENTS— THE HOME OFFICE.

Sir R. ASSHETON CROSS asked the Secretary of State for the Home Department, Whether his attention has been drawn to a leading article in the "Times" of 6th June, which states that "an attempt has been made to relieve the Home Office of a part of its work," a scheme for transferring to the Local Government Board the control of business relating to factories, artizans' dwellings, and burials; and, if the statement is correct; and, if so, under what statute such transfer has been made?

Sir WILLIAM HARCOURT: No, Sir; it is not the fact that anything that could be properly called a transfer of business has taken place, nor do I think that any such scheme would be practicable. It is true that during a pressure of business, my right hon. Friend the President of the Local Government Board had been good enough to render me assistance in looking through Papers; but there has not been, nor could there be without Statutory authority, any transfer of responsibilities to that Board.

COURT OF CRIMINAL APPEAL BILL —REPORT FROM THE STANDING COMMITTEE.

Sir R. ASSHETON CROSS asked Mr. Attorney General, When the Report of the Standing Committee on the Court of Criminal Appeal Bill be presented to the House, so that the Country may have an opportunity of considering the Amendments which have been made in that Bill by the Committee?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, this Bill was being considered together with the Criminal Code Bill. The Standing Committee on Law had not made such progress as he could have wished, but he should be the last to give up the hope of proceeding with these Bills during this Session. He would promise that the Report of the Committee should be presented at such a time as would allow the House and the country the fullest opportunity of examining the Amendments which had been introduced.

Sir R. ASSHETON CROSS said, the hon. and learned Gentleman had not answered the last portion of the Question?

The ATTORNEY GENERAL (Sir Henry James) said, that would be acting in opposition to the Instruction to the Committee, which was to deal with both Bills jointly.

MADAGASCAR—INTERVENTION OF GREAT BRITAIN WITH FRANCE.

Mr. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether, in accordance with the declaration of Her Majesty's Government recognising "the Queen of Madagascar as absolute Monarch of the whole Island" and with the understanding between Great Britain and France "that the two Governments should maintain an identic attitude of policy in Madagascar and act in concert in the matter," Her Majesty's Government has made representations to the French Government concerning the action and the claims of France in Madagascar?

Lord EDMOND FITZMAURICE: No representation, other than those contained in the Blue Book already presented to Parliament, has been made to the French Government on the affairs of Madagascar.

POOR LAW (IRELAND)—OLDCASTLE UNION—SUPERANNUATION ALLOWANCES.

Mr. SHEIL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Guardians of Oldcastle Union granted a superannuation allowance of £38 2*s.* 8*d.* a-year to Mr. John Flood, aged 67 years, which was duly sanctioned by the Local Government Board; whether the same Guardians granted a superannuation allowance of £12 a-year to Mr. Francis Hartley, age 71 years, which was disallowed by the Local Government Board on the ground that Mr. Hartley did not devote his whole time to the service of the Union; whether the Oldcastle Guardians pointed out that Mr. Flood had not given his whole service to the Union; and, whether the Local Government Board in continuing the sanction of the payment of a pension to Mr. Flood is acting legally?

Mr. TREVELYAN: Sir, the facts are substantially as stated; but it should be mentioned that when the Guardians submitted to the Local Government Board the claims of Mr. Flood to pension, there was nothing whatever to show that his entire time had not been devoted to the two Poor Law offices in respect of which it was proposed to pension him; and it was in the belief that this was the case that the Local Government Board sanctioned the grant. The Superannuation Act does not contain any express provision enabling the Board to cancel the grant; but they will take legal advice as to whether they have power to take such a step.

METROPOLITAN BOARD OF WORKS—PROHIBITION OF PUBLIC MEETINGS ON OPEN SPACES.

Mr. THOROLD ROGERS asked the Chairman of the Metropolitan Board of Works, Whether the Board of Works have systematically refused, since the 18th January 1883, to allow any public meetings to be held on any of the open spaces which they are required to protect and allowed to regulate?

Sir JAMES M'GAREL-HOGG: I beg to state, Sir, that the Board has not systematically refused, since the 18th of January, 1883, to allow any public meetings to be held on the open spaces; but, having regard to the powers given to the Board to prevent acts or things tending to interference with the use of the open spaces by the public for the purposes of exercise and recreation, the Board has not seen fit to grant permission to persons desiring to hold public meetings for the purpose of discussing religious and other topics upon Sundays. I may add that the magistrate at the Lambeth Police Court, on the 7th instant, in convicting two persons charged with the infringement of the bye-laws, stated his opinion that meetings such as I have mentioned would interfere with the use of the open spaces for the purposes of exercise and recreation.

Sir WILFRID LAWSON: Are people allowed to discuss religious questions on week-days?

Sir JAMES M'GAREL-HOGG: If the hon. Baronet will give Notice of the Question, I shall be glad to answer it.

Mr. THOROLD ROGERS: Is it not a fact that the Board have refused to give its assent to the holding of any public meeting of any kind whatever—religious, secular, or otherwise — on Sundays or any other day?

Sir JAMES M'GAREL-HOGG: Every application that is received is considered on its merits.

Mr. THOROLD ROGERS: Have they not been systematically refused? I understand they have.

Sir JAMES M'GAREL-HOGG: I most distinctly state that they have not been systematically refused.

Mr. THOROLD ROGERS asked the Secretary of State for the Home Department, Whether he is aware that Mr. Henry Hill, of 81, Barlow Street, Old Kent Road, was summoned at the instance of the Metropolitan Board of Works before the Lambeth Police Court for speaking on the occasion of a public meeting at Peckham Rye on 1st April; that the hearing of the summons was adjourned to 7th June, when Mr. Hill was fined twenty shillings and three guineas costs, with the alternative of fourteen days imprisonment, though four witnesses, whose testimony was not impeached, deposed that he had not spoken; whether the Metropolitan Board of Works have extended their powers in prohibiting meetings on public places, when the Law under which they exercise their powers allows them to regulate such meetings only; whether it has not been the custom for various meetings to be held for many years past, especially by advocates of temperance, on Peckham Rye, without objection, and even with the sanction of the vestry; and, whether, considering that working people cannot assemble to discuss grievances, or assist reforms in other than open spaces near London, owing to the expense involved in hiring rooms, he can check the action of the Board of Works?

Sir WILLIAM HARCOURT: Sir, so far as the Home Office has anything to do with this matter, which is confirming and sanctioning the orders and regulations made, I have expressed my opinion to the Chairman of the Metropolitan Board of Works that the power to regulate public meetings in these open spaces ought not to be extended to an absolute prohibition of such meetings. I have expressed my opinion that in sanctioning the orders and regulations made, I did not contemplate that public meetings should be prohibited altogether. On the contrary, I think it would be very inexpedient to prevent meetings being held. They are allowed to be held in Hyde Park, and I cannot see why they should not be allowed in other open spaces.

INTERNATIONAL COPYRIGHT—THE UNITED STATES.

Mr. BRYCE asked the Under Secretary of State for Foreign Affairs, If he can state what is the present position of the negotiations which are understood to be now or to have lately been proceeding with the Government of the United States of America regarding the establishment of an International Copyright between the two countries?

Lord EDMOND FITZMAURICE: Sir, a proposal for the settlement of this question was made to the Government of the United States by Her Majesty's Minister at Washington in November, 1881, but no reply has yet been received.

DIPLOMATIC VOTE—SALARY OF MAJOR BARING, H.M. CONSUL GENERAL IN EGYPT.

Lord RANDOLPH CHURCHILL asked the Under Secretary of State for Foreign Affairs, Whether it is intended to take a Supplementary Vote of Supply for the Salary and Allowances of Major Baring; whether the relative position of Major Baring as Agent and Consul General will be the same as that of Lord Dufferin with respect to the Officers in Command of Her Majesty's Naval and Military Forces in Egypt; and, whether Major Baring will be independent of, or subordinate to, Her Majesty's Ambassador at Constantinople?

Lord EDMOND FITZMAURICE: Sir, it is not intended to take a Supplementary Vote in Supply for Major Baring's salary and allowances. I am not sure that I rightly understand the bearing of the second portion of the noble Lord's Question; but I may explain that the position of Lord Dufferin was altogether an exceptional one, and cannot be compared with that to be held by Major Baring, who succeeds Sir Edward Malet and not Lord Dufferin. Major Baring's rank and position will therefore be the same as those of Sir Edward Malet, and he will continue to receive his instructions from the Secretary of State, to whom his Correspondence will be directly addressed, Copies, when necessary, being sent to Her Majesty's Ambassador at Constantinople, according to the rule hitherto adopted by Her Majesty's Agents in Egypt.

Mr. GORST: Is the House to understand that no part of the pay and allowances of Major Baring will become payable during the present financial year?

Lord EDMOND FITZMAURICE: No; I do not say that. I said that there would be no Supplementary Estimate.

Mr. GORST: If that is not so, where is the money to come from?

Lord EDMOND FITZMAURICE: It will be included in the Votes before the House. As the House is aware, the Diplomatic Vote has not yet been taken, and according to the usual practice the money saved by the economy of the Government with respect to other charges could be applied in payment of such an extra charge as the present.

Sir STAFFORD NORTHCOTE: Does the noble Lord mean to contend that it is usual in the beginning of a Session, in making financial arrangements, not to take a Vote of Credit for one portion of any Service because there is some hope of effecting a saving in another? That seems to me a new doctrine.

Lord EDMOND FITZMAURICE: I was not making any general statement of financial doctrine, but answered a Question which was asked.

Mr. W. H. SMITH: The matter stands in this way. It is proposed to increase the salary of a certain officer, and for that increase a sum of £2,000 will be required. Do the Government intend to make that increase without giving Parliament an opportunity of expressing an opinion on it?

Lord EDMOND FITZMAURICE: I do not think it would be fair to give an answer to a Question of this character without Notice.

Sir H. DRUMMOND WOLFF: Due Notice has been given. The Question put by my noble Friend is, "Whether it is intended to take a Vote in Supply for the Salary and Allowances of Major Baring?"

Lord EDMOND FITZMAURICE: I have answered that portion of the Question. It is not intended to take a Supplementary Vote.

Sir H. DRUMMOND WOLFF: If it is not, then where will the extra £2,000 be obtained?

LORD RANDOLPH CHURCHILL: I give Notice that, as the noble Lord has stated that the extra salary and allowances of Major Baring will be included in the Diplomatic Vote, I shall, upon that Vote, move, as an Amendment to it, that the Vote be reduced by a sum of £2,000.

MR. ONSLOW: May I ask the noble Lord whether the recompense which Major Baring will receive will be charged on the Imperial or the Indian Exchequer?

LORD EDMOND FITZMAURICE: Perhaps the hon. Gentleman will give Notice of that Question?

MR. CARBUTT said, he had given Notice that he would oppose this Vote.

MR. ARTHUR O'CONNOR inquired whether, except for this extra payment to Major Baring, there would not be a surplus of £2,000?

LORD EDMOND FITZMAURICE: There would be no difficulty whatever, if economies are effected in a Vote, in applying the surplus resulting from such economies towards payments in respect of the other details of the same Vote. The details of each Vote are not voted separately, but are given for the information of the House only.

MR. W. H. SMITH: The point to which I desire the noble Lord to direct his attention is this. Parliament has had Notice that the salary of a certain office is £2,000, and the Government are now proposing to increase that salary. I think that is an unusual course. I think it is an unusual course to increase a salary in that way without asking the authority of Parliament. Do the Government intend to increase that salary without the authority of Parliament?

LORD EDMOND FITZMAURICE: Nobody could possibly object to the right hon. Gentleman bringing forward that question upon the Diplomatic Vote. I think the right hon. Gentleman will see that I have fairly answered the Question upon the Paper, and that any further discussion should properly be taken then.

SIR STAFFORD NORTHCOTE: I wish to ask the Chancellor of the Exchequer, or the Secretary to the Treasury, whether any arrangement respecting Major Baring's salary has been brought before the Treasury, and whether the Treasury have given it their sanction?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): No arrangement of that character has been officially brought forward, though we are aware that it will be proposed in due course. My opinion is that the change should be explained to Parliament before it is made; and, so far as I am concerned, I will take care that this is done.

EGYPT (THE EXPEDITIONARY FORCE) —THE ARMY HOSPITAL CORPS.

SIR TREVOR LAWRENCE asked the Secretary of State for War, Whether it is the case that the Army Hospital Corps attached to the British Expeditionary Force in Egypt was so deficient in men and appliances that, had it not been for the loan of a large number of bearers and dandies by the Indian Contingent, it would have been impossible to have removed the wounded from the field of Tel-el-Kebir, except after a long delay; and, if this is the case, who was responsible for this state of things?

THE MARQUESS OF HARTINGTON: Sir, I will refer the hon. Baronet to the reply of Sir John Adye, the Chief of the Staff, to Question No. 6,079 of the Evidence taken by Lord Morley's Committee of Inquiry. The Question was—

> "Before the battle of Tel-el-Kebir you got a number of Indian dhoolie bearers from the Indian Contingent. Was that in consequence of the British bearer companies not being sufficient?"

Sir John Adye replied—

> "No; but knowing that they had a large establishment, and as the Native regiments were very few in number up at the front, I thought it was common sense that the superfluity of that establishment should be devoted to the general use of the Army on that occasion."

This view is supported by the evidence of Sir Herbert Macpherson. (See Q. 636.) There is no doubt, however, that the dhoolie bearers attached to the Indian Contingent rendered most valuable service to the British troops, which I have no desire or intention of depreciating.

PAPAL SEE—DIPLOMATIC COMMUNICATIONS—MR. ERRINGTON.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, What Department of the Foreign Office will be charged with making and keeping for the purposes of transmission, a record of Mr. Errington's proceedings during his protracted and repeated visits to Rome?

LORD EDMOND FITZMAURICE: No Department of the Foreign Office will be charged with making and keeping the record of any Correspondence with Mr. Errington. The record of it will eventually be placed in the archives of the Office for the information of successive Secretaries of State.

SIR H. DRUMMOND WOLFF: Is there no record to be kept now, or is it only to be made when Lord Granville retires from Office?

LORD EDMOND FITZMAURICE: That was what was stated at the time by the Prime Minister—"For the information of succeeding Secretaries of State."

SIR H. DRUMMOND WOLFF: The right hon. Gentleman at the head of the Government said the Correspondence would be placed on record at once, and not when the Government left Office. I do not think the present arrangement a fair fulfilment of that promise. The noble Lord has not signified in what Department the record will be kept.

MR. GLADSTONE: My intention was to signify that the record should be kept from time to time as convenience dictated.

MR. DAWSON asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the following resolution unanimously adopted by the Town Commissioners of Longford on last Wednesday, viz.—

> "That we no longer desire to offer to Mr. Errington advice or suggestion, and only wish to make known to all whom it may concern that in anything said or done by him during the last three years, he is not to be understood as speaking for, or in any way representing, the people of Longford, who are of almost one mind in resenting the part which it is believed Mr. Errington has taken in influencing His Holiness the Pope to issue a circular letter to the Bishops condemnatory of Mr. Parnell and his policy;"

and, whether, after such declaration, Her Majesty's Government will retain him as a confidential medium of communication upon Irish affairs with the Holy See?

LORD EDMOND FITZMAURICE: Notwithstanding the respect which is due to the Town Commissioners of Longford by Her Majesty's Government, it is not intended by Lord Granville to make any variation in his relations with Mr. Errington.

LORD RANDOLPH CHURCHILL: May I ask the noble Lord whether he accepts the definition contained in the Question as to the Government retaining Mr. Errington as a "confidential medium of communication upon Irish affairs with the Holy See?"

LORD EDMOND FITZMAURICE: No, Sir; I carefully avoided doing so.

LORD RANDOLPH CHURCHILL: Is Mr. Errington still at Rome making communications with the Pope? I will ask that Question to-morrow.

EDUCATION (IRELAND)—AGRICULTURE IN IRISH NATIONAL SCHOOLS.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, having regard to the increased attention latterly paid to agricultural instruction in National Schools in Ireland, and the want of acquaintance with agricultural subjects felt by the inspectors who have to conduct the examinations for results fees, he will consider the advisability of substituting in the examinations for inspectorships of National Schools marks for proficiency in agricultural knowledge for the marks at present given in respect of the German and Italian languages, with which the duties of inspectors of Primary Schools are not conversant?

MR. TREVELYAN: Sir, I know no reason to suppose that there is any want of capacity on the part of the Inspectors to examine the pupils of the ordinary National schools in the agricultural class books. The position is different with regard to the agricultural schools—*i.e.*, schools having land attached to them—and in these cases there is a professionally qualified Inspector. With regard to the suggested alteration in the course of examination for Inspectorships, I have to observe that German and Italian are not obligatory subjects, They are among the voluntary subjects in an examination which is intended to test general ability, and not special knowledge. Candidates who have succeeded in the preliminary competitive examination are required to qualify in agriculture and other special subjects before they are given charge of a district. I do not think, therefore, that there is any necessity for the proposed change.

THE CORPORATION OF WEXFORD.

Mr. LEAMY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Local Government Board is yet in a position to express an opinion on the action of their auditor in refusing to allow the reductions granted by the Corporation of Wexford to its tenants on account of bad seasons?

Mr. TREVELYAN: Sir, the matter remains as it was when I answered the hon. Member's former Question last week. The auditor has reserved his decision until his next audit, and the Local Government Board are not called upon to express any opinion on the matter unless it comes before them on appeal, which could only happen in the event of a surcharge being made.

CONSTABULARY (IRELAND) ACTS—EXTRA POLICE IN TIPPERARY.

Mr. MAYNE asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is accurate, as stated at the road sessions of the north riding of Tipperary, and reported in the "Tipperary Advocate" of the 2nd instant—

> "That fifty of the ordinary Police force of the district were taken off, and put on again as an extra Police force;"

and, if true, whether this does not involve heavy additional taxation on the district, without any addition to the Police force to which the district is entitled?

Mr. TREVELYAN: Sir, the hon. Member is probably aware that the Constabulary Acts require a re-calculation every five years of the number of men to which each county and riding in Ireland is entitled as a free force. The last quinquennial redistribution was made by Order in Council of July 27 last, and the free force of the North Riding of Tipperary was then reduced by 50 men, as it was found to be that number in excess of the proportion to which the Riding was entitled, comparing its area and population with other counties in Ireland. But the state of the Riding at the time did not permit of the total strength of the police being reduced; and it was therefore necessary to add the 50 men to the extra force employed under the Act 6 & 7 *Will.* IV. c. 13, a moiety of the cost of which will be charged upon the Riding. This force will be reduced as circumstances permit.

METROPOLITAN BOARD OF WORKS—CHARING CROSS RAILWAY BRIDGE.

Mr. ANDERSON asked the Chairman of the Metropolitan Board of Works, If he is aware that Parliamentary powers have been granted to the South Eastern Railway Company respecting their bridge over the Thames at Charing Cross; and, whether these proposed works will encroach on the Embankment, and tend to spoil both that and Northumberland Avenue; and, if so, whether he proposes to ask Parliament to suspend its Standing Orders to enable him to repeal that legislation?

Sir JAMES M'GAREL-HOGG: Sir, the South-Eastern Railway Company promoted two Bills in the last Session of Parliament, which were opposed by the Metropolitan Board of Works, and considerably modified. One of the works comprised in the Bills was the widening of the railway near Charing Cross, which was required for the purposes of enabling the Company to carry their increasing traffic with public safety. The Board objected to this widening upon various grounds, one of them being that it would be objectionable with reference to Northumberland Avenue, and the Board suggested that the widening should be upon the Eastern or City side of the railway. Although Parliament did not adopt this view, the Bills, as passed into law, provided against any occupation of the land of the ornamental gardens, or of the Victoria Embankment roadway, and did not involve any works which might lead to public danger. Under these circumstances, the Board does not propose to ask Parliament to repeal that legislation.

EDUCATION DEPARTMENT—ASSISTANT CLERKS.

Mr. GRANTHAM asked the Secretary to the Treasury, Whether his attention has been called to the position of certain lower division clerks in the Education Department (and not third class clerks, as understood by him in a former answer) who entered that office as junior assistant clerks at the age of fourteen, under a signed agreement, with a promise of a nomination for a permanent clerkship if they had a good character and remained there till they were nineteen, but who were deprived of that nomination by the alteration subsequently made in the service; whether they are receiving now the very much smaller smaller salary of about £100 per annum instead of about £300 per annum; whether the yearly increase is much less than they otherwise would have received; whether the heads of the Department have recommended some compensation to be made to them; and, if the Government will now make them some compensation for the breach of the conditions on which they entered the service; and, if not, on what grounds such compensation is refused?

Mr. COURTNEY: Sir, I have looked into the facts of the case referred to in the Question. There was no promise given of a nomination for a clerkship, only a chance of being allowed to compete for any vacancy that might be open. As a fact, there have been no vacancies, such as one or two of the men might possibly have filled, but all of them have been turned into lower division clerks. The Education Department recommended that they should reckon their pensionable service from the time they became writers; but the Treasury, upon careful consideration, and having regard to the precedent that would be created, decided that no case was made out for this concession.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS — AGRICULTURAL HOLDINGS (ENGLAND) BILL.

Colonel KINGSCOTE asked the Chancellor of the Duchy of Lancaster, Whether, as the Agricultural Holdings Bill is now postponed until after the Committee of the Corrupt Practices Bill, the Government will consider the advisability of re-committing it, in order to incorporate it in the Clauses of "The Agricultural Holdings Act, 1875," to which reference is made in the Bill?

Mr. CHAPLIN said, that before the right hon. Gentleman answered the Question he should like to put another Question to him on the same subject, and, with the indulgence of the House, he would say one word in explanation. When the Committee on the Tenants' Compensation Bill was fixed for that day, they were led to believe that the Committee would be proceeded with with as little delay as possible. The right hon. Gentleman had, in fact, given a pledge to that effect to the Member for Gloucestershire. He wished to ask the Government whether, having regard to that understanding, they would consent not to postpone the Agricultural Holdings Bill until after the Committee of the Corrupt Practices Bill?

Mr. HENEAGE said, he also should ask the Government to reconsider their decision, as if the Agricultural Holdings Bill was not taken first, it would come on when hon. Members interested in it would have to be away attending to Quarter Sessions.

Mr. DODSON: In answer to the Question of my hon. and gallant Friend (Colonel Kingscote), I can add nothing now to the answer given by the Prime Minister on the subject on Friday last to the right hon. Baronet the Member for North Devon. The Government are disposed to look favourably on the proposal, but wish to reserve their judgment as to the time and mode of giving effect to it until further progress has been made with the Bill. With regard to the Question of the hon. Member for Mid Lincolnshire (Mr. Chaplin) as to whether the Government will give precedence to the Committee on the Agricultural Holdings Bill, I can only say that when I stated what I did on a former occasion that was the intention and view of the Government. It was not an engagement on the subject; and I can only say that it has now been determined that it would be better to proceed with the Corrupt Practices Bill.

Mr. CHAPLIN: I beg to give Notice that on Thursday I will ask the Prime Minister what has since occurred to alter the intention of Her Majesty's Government to proceed with as little delay as possible with this Bill?

FRANCE AND CHINA.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether it is true, as stated by "La France" and other French papers, that Her Majesty's Government have asked the Government of the French Republic for explanations as to a speech made in the Senate on the 2nd by M. Challemal Lacour, the Minister for Foreign Affairs, in which he said:— "We know that there are attempts to excite China against us, and we also know from what Power they proceed?"

LORD EDMOND FITZMAURICE: No, Sir; Her Majesty's Government have not asked for explanations, as they do not believe that the statement in question could possibly be intended to affect them in any way.

LUNACY (SCOTLAND) ACT, 1862—PERTH PRISON—TRANSFERENCE OF CRIMINAL LUNATICS.

MR. ANDERSON asked the Secretary of State for the Home Department, If it be the fact that the Scotch Lunacy Act (25 and 26 Vic. c. 54), by section 23, empowers the Governor of Perth Prison to send prisoners who have become insane back to the prison where they were committed, but that this must be "within fourteen days" of the expiry of the sentence; if the Governor of Perth Prison or the Prison Commissioners were entitled to interpret this power as extending to any period subsequent to the expiry of the sentence, in some cases even twenty years after; if the authorities at Broadmoor have legal power to send prisoners to Perth Prison for the purpose of being disposed of as above; and, if he is aware that within a few months back four prisoners under such circumstances have been sent to Glasgow to be supported, though having no claim of settlement there; and, if so, what redress he proposes?

SIR WILLIAM HARCOURT: An inquiry is being made into this matter by the Lord Advocate, but the information asked for has not yet been received.

RAILWAYS (INDIA)—HYDERABAD AND CHUNDA RAILWAY.

MR. E. STANHOPE asked the Under Secretary of State for India, If he will lay upon the Table the Papers relating to the construction of a Railway from Hyderabad to Chunda under the guarantee of the Government of Nizam?

MR. J. K. CROSS: The Papers in the India Office relating to this matter refer to negotiations extending over some years, but which have not yet led to any definite result. At present they must be considered confidential. In the course of a few weeks I hope to be able to give the hon. Member for Mid Lincolnshire further information.

ARMY—MILITIA MAJORS.

SIR HENRY FLETCHER asked the Secretary of State for War, Whether those officers, now Majors, who entered the service from the Militia after the age of twenty will be allowed to remain in their regiments, or on the list of the Army until the age of fifty, the same as Majors who purchased their companies?

THE MARQUESS OF HARTINGTON: Sir, the Question is not quite fairly stated, for it is not all majors who purchased their companies who are allowed to serve till the age of 50, but only those who became majors not later than the 1st of July, 1881. The Royal Warrant does not extend the same privilege to majors who came from the Militia, unless they were captains before purchase was abolished in 1871.

THE MAGISTRACY (IRELAND)—CROWN SOLICITORS—MR. GIVAN.

COLONEL NOLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that in the province of Leinster there is not one of the Crown Solicitors who is a Roman Catholic, and if it is now intended to appoint a gentleman, not a Roman Catholic, from the north of Ireland to the office of Crown Solicitor for the county of Kildare which is at present vacant?

MR. ARTHUR O'CONNOR: Before the right hon. Gentleman answers that Question, I would wish to ask him, Whether the newly appointed Crown Solicitor is the same Mr. Givan who in September last declared at a banquet in the County Monaghan that he would not accept any appointment from a Government who would not grant the entire of the Amendments of the Land Act demanded by the tenantry of Ulster; and, if so, whether we are to gather from the fact of the appointment that the Government are to bring in a Bill embodying Mr. Givan's views?

MR. TREVELYAN: The only information I can give the hon. Member is that the Mr. Givan who has accepted the Crown Solicitorship for Kildare is the Member for Monaghan. With reference to the Question of the hon. and gallant Member, the question of religious profession does not appear to have been at any time much considered in connection with the provincial distribution of Crown Solicitors. Although I have not positive information on the subject, I believe that the hon. and gallant Member is correct in his description of the religion of the Crown Solicitors in Leinster; while, on the other hand, in several counties of Ulster, having a large proportion of Protestant inhabitants, the office is filled by Roman Catholics. I believe that up to the present date there is only one Crown Solicitor in Ireland who is a Presbyterian, to which body the hon. Member for Monaghan (Mr. Givan) belongs.

Mr. CALLAN asked whether, under the circumstances, it was the intention of the Government to issue a new Writ for the election of a Member for Monaghan County.

[No answer was given to this Question.]

MARRIAGE LAWS—MARRIAGES BETWEEN ENGLISHWOMEN AND FRENCHMEN.

Mr. H. S. NORTHCOTE asked the First Lord of the Treasury, If his attention has been called to the numerous cases in which marriages have been solemnised in England between Englishwomen and Frenchmen in accordance with the provisions of British Law only, which marriages have, subsequently, been held to be invalid in France; whether his attention has been called to the great hardships which have thereby been inflicted on innocent persons; and, whether Her Majesty's Government will forthwith take steps to remedy this evil by legislation; or, if not, if they will issue a circular notice to all registrars and ministers of religion authorised to perform the marriage ceremony inviting them to call the attention of British subjects presenting themselves to be married to the provisions of the French Law, and to the fact that, to insure a valid marriage, these provisions must be strictly complied with?

Sir WILLIAM HARCOURT: The attention of Her Majesty's Government for some time past has been directed to the matters referred to in the hon. Member's Question, and various communications have passed between the British and French Governments on the subject. There is reason to hope that measures will shortly be adopted which will practically obviate the danger of marriages contracted in this country between Englishwomen and Frenchmen being held invalid in France by reason of non-compliance with the formalities required by the laws of that country.

LAND TENURE—GROUND LEASES.

Sir H. DRUMMOND WOLFF asked the First Lord of the Treasury, If Her Majesty's Government will consent to an inquiry, either by a Royal Commission or by a Committee of this House, into the present system of ground leases in towns, whether of houses or of land for building and occupation?

Mr. GLADSTONE: This question has not been discussed in the House, and Her Majesty's Government are not aware of a state of facts sufficiently serious to lead them to think that it would be right to move for an Inquiry.

Sir H. DRUMMOND WOLFF asked whether the Government would oppose a Motion for the appointment of a Royal Commission?

Mr. GLADSTONE: We should first require to know the case of the hon. Gentleman before we could consider it.

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL.

Mr. J. N. RICHARDSON asked the First Lord of the Treasury, Whether, in view of the great interest taken by many Irish Members upon the subject, and in view of the statement of the Chief Secretary to the Lord Lieutenant, when replying to a deputation which waited upon him on the 27th of April last:—

> "That the Irish Government could never acquiesce in the Sale of Liquors on Sunday (Ireland) Bill not being passed into Law this Session,"

he will provide an early opportunity for taking the judgment of the House upon the measure?

Mr. GLADSTONE: Upon this question I am afraid I must remind the hon. Member that this Bill is a Bill competing with several others, but at the same time undoubtedly stands in that class of Bills which we are exceedingly desirous to see passed, and which we believe the House in general wishes to see passed. I therefore see no reason to doubt—and certainly no exertion will be wanting on the part of the Government—that the House will have an opportunity of giving a judgment on the subject.

EGYPT—M. DE LESSEPS' PROPOSED DUPLICATE SUEZ CANAL.

Mr. NORWOOD asked the First Lord of the Treasury, Whether the assent of M. de Lesseps has been obtained to the laying upon the Table of the House Copies of the communications that have passed between the Administration of the Suez Canal Company and Her Majesty's Government as to the construction of a second Canal; and, if so, to inquire when the House may expect to be in possession of those communications?

MR. GLADSTONE: We find that we are not at present in a position to publish the Correspondence to which reference is made in the Question.

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI.

LORD RANDOLPH CHURCHILL: I wish to ask the Prime Minister a Question, of which I have given him private Notice, and perhaps I may be allowed, at the same time, to make a personal explanation. On Friday I, in the House, stated that certain matters had been laid before Lord Dufferin in Egypt, and he did not consider himself at liberty to incur the responsibility of going into them. The Prime Minister, without ascribing exact falsification to me, implied something very near it. I now wish to ask the right hon. Gentleman, Whether his attention has been drawn to a letter in *The Times* to-day from Mr. Eve, solicitor to Arabi Pasha, in which occurs the following passage:—

> "A portion of this evidence was offered before the close of the trial of Arabi to Lord Dufferin for his private information. Upon reference to a letter now before me, I find the circumstances of the communication most distinctly stated as follows:—'First, it was offered to his Lordship to bring witnesses to prove that Omar Lufti had ordered Suleiman Sami to bring his regiment down unharmed, and that Suleiman had refused to be made a fool of, seeing well the construction that would be put upon it; also that, perceiving what would be said if he stayed away while massacre was going on, after an hour's delay he came with his troops in arms in distinct contradiction to Omar Lufti's orders, and quelled the riots; secondly, it was offered to bring the man who had received the order and taken it to Suleiman Sami; and, thirdly, to bring another who had heard Omar Lufti in the streets exhorting the massacrers to strike home on the heads of the Christians, and not to spare.'"

The letter adds—

> "Lord Dufferin said it was not his business to prosecute Omar Lufti."

I wish to ask also, whether, in view of such a statement, the Prime Minister still adheres to the allegation made by him on Friday last, that—

> "As far as Lord Dufferin's recollection and knowledge went, he entirely declined to recognize one jot or tittle of the statement as entitled in the slighest degree to credit."

I also wish to know whether the Prime Minister, in view of his statement on Friday last—

> "That it was the duty of the Government to investigate any definite charge which was left in their hands, and that they would make the best examination in their power,"

intends to make such inquiry into the "tremendous charge" make against the Khedive of Egypt of having been concerned in the instigation of the massacres of June 11 at Alexandria, and, if so, when he will state in what manner Her Majesty's Government intend to carry out this duty?

MR. GLADSTONE: Sir, with regard to the second of these charges, the noble Lord has correctly stated that I said that it would be the duty of the Government to investigate any definite matter or charge which might be left in their hands, and that we should make the best examination of such a charge in our power. I am bound to say, however, that, on perusing the speech of the noble Lord, I find very little definite matter in it; and, before proceeding to say anything upon it, I wish very much to know whether that speech, or any particular report of that speech, is the basis upon which he proposes to found his Question? The matter is a very serious one, and a Member making a charge of this kind incurs an immense responsibility. But we should not like to make investigation without knowing that we were dealing with the subject-matter with which the noble Lord desired that we should deal.

LORD RANDOLPH CHURCHILL: I shall be perfectly prepared to place all the materials which are in the possession of myself and others in the hands of the Prime Minister, in order that he may judge of their nature, if he will only tell me the character of the tribunal which he purposes shall make the Inquiry?

MR. GLADSTONE: The tribunal, in the first instance, must be the Government itself. It would be our duty to make the examination in the first instance; but it would be a prelimary and not a definite examination, and there would be an appeal to this House in case we should discharge our duty in an unsatisfactory manner. With regard to the first Question of the noble Lord, I think the misunderstanding that has arisen between us is this. The Question which the noble Lord puts relates entirely, if I understand it aright, to the evidence brought forward against a certain personage named Omar Lufti.

LORD RANDOLPH CHURCHILL: Which would be brought against him?

MR. GLADSTONE: The statement of the noble Lord to which I desired to apply the negative and the repudiation of Lord Dufferin was a statement which, as we understood—and I think the noble Lord probably meant it—applied to the Khedive.

LORD RANDOLPH CHURCHILL: Acting through Omar Lufti.

MR. GLADSTONE: There is no proof of any connection whatever between Omar Lufti and the Khedive in this question. That would be my first answer. Now, I am bound to say, viewing the nature of the case, that the House takes a very humane interest in every question of life and death, and I fully recognize the title of the House to be informed upon all that the Government have done in regard to such a question. The course which I propose to take at present for the information of the House is this—I propose to read two telegrams from Egypt which touch the vital parts of the case of Suleiman Sami; I propose then to read a letter or despatch which Lord Dufferin has addressed to Earl Granville, in which he notices the case of Omar Lufti. These Papers will be laid on the Table as soon as possible, together with some germane Papers. When I have read the despatch hon. Members will have the most material parts of the case before them, and will be able to found upon it either Questions or discussion. This is a despatch from Sir Edward Malet, dated June 9 (Saturday)—

"Suleiman Sami was executed this morning. The evidence against him established clearly that the burning of Alexandria was done by his orders, in disobedience to orders received by him from Arabi Pasha. In thus abstaining from interference I have been guided by the principles laid down in Lord Dufferin's despatch (No. 138), in which Her Majesty's Government concurred, and by your Lordship's despatch to me (No. 304) of the 8th of September, saying that Her Majesty's Government would not take any steps to prevent execution in cases in which participation in the burning of Alexandria was proved."

Mr. Gladstone

Sir Edward Malet has also sent another short telegram, saying:—

"I have received the following telegram from Major Macdonald, dated yesterday.

Then he gives the body of Major Macdonald's telegram, which runs as follows:—

"I consider that the charges against Suleiman Sami were proved, and that the sentence was a just one.'"

LORD RANDOLPH CHURCHILL: On what date did the Government receive the despatch?

MR. GLADSTONE: It is addressed to Lord Granville to day. Now this is the despatch addressed to Lord Granville by Lord Dufferin—

"My Lord,—As it has been suggested in Parliament that the Khedive of Egypt was the author of the massacres at Alexandria on 11th June last year, and as it has been publicly stated that I hurried the trial of Arabi Pasha to a premature conclusion, lest, were it to have been prolonged, revelations might have been made injurious to the character of His Highness, I beg to say that such a supposition is quite erroneous. It is perfectly true that during the course of some preliminary conversations I had with Mr. Broadley in regard to disputed points of procedure between himself and the Egyptian Public Prosecutor, that gentleman occasionally hinted, in ominous but vague language, that in the interests of his clients he would be compelled to make very damnatory disclosures in regard to a number of eminent Egyptian personages. To these observations, which were more than once repeated, I invariably replied, as I am sure Mr. Broadley will himself testify, that such a result would be a matter of indifference both to myself and to Her Majesty's Government, who could have no possible desire to shield anyone to whom such a dreadful crime as murder could be brought home. Nor did I ever utter a word to discourage Mr. Broadley from executing his intentions. It is true I did not regard these minatory suggestions as serious—at all events, so far as the Khedive was concerned; but even had I attached more importance to them, I should not have held different language. It was during the course of one of these conversations that Mr. Broadley said to me that in strict justice it was Lufti Pasha, and not Arabi, who ought to be in the dock, and that he could mention facts to support this assertion. The circumstances which he referred to did not, however, appear to me to make out a case against Lufti which could be seriously sustained, and if, as Mr. Eve has asserted in his letter to *The Times* of to-day, I replied during the course of what was expressly a 'privileged,' and therefore unguarded, conversation, that 'it was not my business to prosecute the Minister of War,' I can only congratulate myself upon having made so sensible a reply. The circumstances under which the trial of Arabi was concluded I have already related to your Lordship in my previous despatches, and especially in the despatch of the 5th instant.

The narrative speaks for itself and disposes of the theory that I did anything to hush up the proceedings. Only one other person, and that an English gentleman, in some degree professionally connected with the Arabi interest, ever submitted to me a suggestion that the Alexandria massacres could be traced to the agency of His Highness the Khedive; but the accusation was not supported or substantiated by any tangible fact or circumstance which could bring conviction to a reasonable mind, especially when account was taken of the avowed sentiments of my interlocutor. Nor during the whole of my stay in Egypt was a tittle of evidence brought to my notice which would in the faintest degree have authorized so strange an allegation. After the conversation in question, however, I thought it worth while to sound a number of trustworthy and unprejudiced persons, both European and Native, on the point, and I especially discussed the matter with Sir Charles Wilson. As I have already stated, Sir Charles Wilson's sympathies were absolutely impartial. In fact, he was considered by the Egyptian Government to have taken a far too indulgent view of the Arabi movement. Sir Charles Wilson ridiculed the idea of the Khedive's complicity in the massacres, as I am bound to say did every other person to whom I mentioned the subject. Under the foregoing circumstances I have never been able to come to any other conclusion than that the accusation in question was one of those thousand baseless calumnies which teem from Egyptian soil, for whose origin there is no accounting, and which, being unsupported by any substantial or tangible evidence, are the more difficult to refute."

Then comes a postcript—

"With regard to Mr. Eve's statement as to the witnesses to whom the safe-conduct was to be given, I have no recollection of the circumstance to which he refers. Had Mr. Broadley required a safe-conduct for any of his witnesses, he would have made me an official demand in writing to that effect, and, as a matter of course, I should have requested the Egyptian Government to comply with his desire."

The two important questions are the execution that has lately taken place, and the conduct of Her Majesty's Government in regard to it, and the question which, I deeply regret to say, has been raised by the noble Lord with regard to the Khedive of Egypt. But I hope we may be allowed to place these documents in the hands of Members; and I think it would be better that I should make no collateral or subsidiary statements, because the main points raised are, I think, fully dealt with in the Papers I have read.

SIR STAFFORD NORTHCOTE: Sir, I do not propose to enter into the questions raised by the Papers we have heard read. But with regard to the execution of Suleiman Sami, the House will expect to have some information as to the course the Government have taken. Therefore, I wish to ask a Question of which I have given Notice to the Under Secretary of State for Foreign Affairs. Will he undertake to communicate to the House the several telegrams that have passed between the British Government and their Representatives in Egypt, or between the British and Egyptian Governments, on the subject of Suleiman Sami's execution? In asking for the telegrams that have passed, I wish to have the dates, not only of the days on which they were despatched, but the hours. I hope the Government will also be good enough to make the proper correction for the difference of time between this meridian and that of Egypt. There is another question; reference has been made to a telegram on Saturday from Major Macdonald. I wish to know what is the position he holds, and by whose authority he is acting?

LORD EDMOND FITZMAURICE said, the right hon. Gentleman very kindly gave him Notice two hours ago of his intention to ask for the production of these telegrams; and he might mention that these telegrams, with the dates and hours corrected in the manner asked for, would, of course, form a portion of those Papers mentioned by the Prime Minister, which would be presented to the House with the least possible delay. He thought that it would be better for the House to have full details presented at once rather than piecemeal information. With regard to Major Macdonald's position, he did not think he could give a better description of it than by saying that when Sir Charles Wilson left Egypt, after rendering most valuable services, Major Macdonald was appointed to watch the trials on behalf of Her Majesty's Government, and now he was performing the duties previously performed by Sir Charles Wilson.

LORD RANDOLPH CHURCHILL: What regiment does he belong to?

LORD EDMOND FITZMAURICE: A Highland regiment.

SIR H. DRUMMOND WOLFF asked, Whether Her Majesty's Government would have any objection to producing the text of the telegram sent at 3 o'clock on Friday to Sir Edward Malet; also, whether, among the fresh evidence that Suleiman Sami wanted to call was that of Arabi Pasha; and, if so, why Her Majesty's Government, considering the nature of the evidence upon which Suleiman Sami's fate depended, did not delay his execution until a Commission could be sent to obtain Arabi's evidence?

LORD EDMOND FITZMAURICE said, that neither he nor the President of the Local Government Board had stated that a telegram was sent at 3 o'clock on Friday. What he said was that a telegram was sent subsequently to the meeting of the House, and not previously. With regard to the other Question, he was not in a position to inform the House whether among the fresh evidence required by Suleiman Sami was that of Arabi Pasha.

MR. M'COAN asked the noble Lord, Whether his attention had been drawn to the letter from Mr. Mark Napier in *The Times* of that morning, and whether the course there mentioned with regard to the trial of prisoners had been pursued in the case of Suleiman Sami?

LORD EDMOND FITZMAURICE said, his attention had been drawn to Mr. Mark Napier's letter. He might mention that the letter alleged that he had been entirely wrong in stating that the procedure followed was that of the French Code, rather than that with which they were more familiar in this country. There were six heads in Mr. Mark Napier's letter. Two of those statements distinctly proved that he was right, and Mr. Mark Napier was wrong, for Mr. Mark Napier mentioned certain facts which were distinct features of the French, and not of the English procedure. As to the remaining heads, he was not in a position to state whether Mr. Mark Napier was correct as to the facts, but his own impression was that he was not correct. He was sorry to have to differ from Mr. Mark Napier, and he must, in justice to himself, mention that when Mr. Mark Napier called upon him at the Foreign Office he had a most interesting conversation with him, in the course of which Mr. Mark Napier frankly and candidly admitted that he had not the slightest acquaintance with the French procedure.

MR. BOURKE asked whether the course mentioned in Mr. Mark Napier's letter as having been pursued was in accordance with the French procedure?

LORD EDMOND FITZMAURICE said, that he was unable to speak with authority upon the French procedure. He was only quoting from information supplied to him by gentlemen who were cognizant with it. He believed he was right in stating that at the French "instruction" evidence was taken, and that witnesses were examined and cross-examined upon it at the final trial.

SIR STAFFORD NORTHCOTE: Although the Government have promised to lay the Papers on the Table, yet, with reference to one portion of the Question, I do not think it is desirable or necessary for the House to wait until the Papers are presented—I mean the Question with reference to the course taken as to the execution of Suleiman Sami. I propose to ask leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance—namely, the action of Her Majesty's Government in respect of the recent Trial and Execution of Suleiman Sami at Alexandria.

The leave of the House having been given:—

SIR STAFFORD NORTHCOTE said: Sir, I understand it to be the feeling of the House that it was desirable that the earliest opportunity should be taken to ascertain precisely how we stand in regard to a matter of great importance. I do not desire to go at any length into this question, but I will remind the House of what took place on Friday. The House met at 2 o'clock, and a Question was put to the Government with reference to the statement that Suleiman Sami had been condemned to death. The noble Lord the Under Secretary for Foreign Affairs was not at the moment in the House, and the Prime Minister apparently was not in possession of the information desired with regard to the matter. The noble Lord subsequently came down to the House, and we heard from him a very clear explanation of what had taken place at the Foreign Office. As far as I understand, the first communication that reached the Foreign Office on the subject of the conviction and sentence was on Thursday; some communication had taken place, and the matter had not been brought under Lord Granville's notice till some time on Friday. The noble Lord spoke of it, as "the first thing on Friday morning." We want definite information on a matter upon which so very much turns. However, according to the noble Lord's statement some time prior to the meeting of the House at 2 o'clock the matter had been under Lord Granville's consideration, and he appears to have come to the conclusion to make some inquiry. After discussion took place on the subject, he made a communication which led to some communication in return. We want to know the nature of these communications. What was the telegram sent? It would not be difficult for the noble Lord to give us that telegram, and the other communications, with the exact time and hour at which they took place. All that of which I have spoken occurred during the Morning Sitting. When the House met in the evening further Questions were put, and we were left in a position of some uncertainty as to whether instructions were sent to our Representatives in Egypt to take steps to stay the execution until the receipt of further instructions. Was any second telegram sent, and at what time, and what answer, if any, was received? I wish also to have some clear and distinct information as to Major Macdonald's position in the matter. His position clearly was of very considerable importance in relation to Her Majesty's Government. This was not a case of an ordinary judicial transaction in Egypt; it was not a case in which we should hold aloof and allow the Egyptian tribunals to act according to their own judgment; but, having arisen out of the transactions of last year, and being so closely connected with the circumstances in which we occupied the position we now hold in Egypt, it was a matter on which it was our right and our duty to make inquiries and to see that right was being done. I want to know what authority and functions Major Macdonald was to exercise in this case. Her Majesty's Government themselves acknowledged a certain responsibility by the very fact of the instructions given to Major Macdonald. I am anxious to know whether we were right on Friday in supposing that the Government had put themselves into communication with their Representatives in time to ascertain before the prisoner was actually executed whether there was a case for the interposition of Her Majesty's Government, and also whether there was time for that interposition if there was occasion for it. There ought not to be a moment's doubt left on the mind of the House or of the country as to the action taken by Her Majesty's Government, because if, on the one hand, they did nothing, then the House has a right to complain of the breach of the understanding which seemed to be arrived at on Friday; and, on the other hand, if they made representations, and those representations were disregarded, then a serious state of things has arisen. It is necessary that we should have at once, without waiting for Papers, clear explanations on these points; and if the noble Lord would tell us at what hour the telegrams were sent, and what telegrams were sent, we should have more means of forming a judgment than we have at present. I therefore, for the purpose of getting an answer, beg to move the Adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Stafford Northcote.*)

LORD EDMOND FITZMAURICE: I think, Sir, the Motion of the right hon. Gentleman a perfectly reasonable one, and I shall proceed to answer his Questions at once. I was under the impression that the most important of these telegrams having been read by the Prime Minister it was hardly necessary to produce the short telegram of Lord Granville, to which Major Macdonald's telegram was a reply. I will, however, at once produce the telegram. But I must entirely demur to the account of what took place as to what was said on Friday evening by the right hon. Gentleman. It is of great importance to make that point clear. Her Majesty's Government had no doubt whatever, from the information that reached them, that the sentence which was to be executed upon Suleiman Sami was a fair and just one; because they knew that they had on the spot a trusted and trustworthy agent, who had not sent to them any information such as his instructions would have obliged him to send if he had thought that a great act of injustice—nothing less than a judicial murder—was about to be perpetrated. Nevertheless, Her Majesty's Government recognized that there had appeared in many newspapers statements, some of which they believed to be entirely incorrect in regard to that matter, which were producing a disturbing effect on the minds of the public generally and on Members of this House, who were anxious that justice, wherever English influence prevailed, should be tempered with mercy. That being so, the President of the Local Government Board on Friday stated that the Government had decided to put themselves in possession of Major Macdonald's opinion, so as to be able to fortify themselves should any question be raised, not only by the negative argument of Major Macdonald's silence, but by his positive statement and affirmation on the question. As was stated by the President of the Local Government Board, Lord Granville determined, on Thursday evening and on Friday morning on consultation with those whom he thought it well to consult on the matter, on communicating with Sir Edward Malet on the subject. That decision having been arrived at, early at the Morning Sitting on Friday certain Questions were put without Notice. I was not in my place at the time — there being no Foreign Office Question on the Paper—but I was communicated with, and I came down to the House just as the discussion was over. The right hon. Gentleman gave me an opportunity of answering his Question shortly before 7 o'clock, and I stated that the Government had determined to have those trials carefully watched by a British officer, assisted by gentleman specially conversant with the Turkish and Arabic languages. Major Macdonald was not himself acquainted with Turkish and Arabic; but Mr. Maccullagh and Mr. Cameron were not only conversant with those languages, but many members of the Court Martial were well acquainted with French, Italian, and also English. Sir Charles Wilson has told me that the President of the Courts Martial held while he was there, spoke English almost as well as an Englishman. But on all the Courts Martial, as the Papers presented will show, the utmost care had been taken that persons well qualified by their knowledge of the country and of the languages should form the tribunals to which those important issues of life and death were intrusted. I would remind the House that on that particular tribunal sat a distinguished Englishman (Morris Bey) and a distinguished Italian (Frederigo Bey). That being so, Sir, Lord Granville, as I have just said, determined to inform himself of the facts so as to be able at the earliest date to give information in either House of Parliament, should any Question be asked. I have been asked whether the telegram was sent from the Foreign Office previous or subsequent to the meeting of the House at the Morning Sitting on Friday. In answer I have to say that although the determination had been arrived at previous to the meeting of the House, the actual telegram did not go until some hours after. We never said anything about the telegram having been sent at 3 o'clock. The point raised was whether the decision to send the telegram had been arrived at previous or subsequent to the meeting of the House. As I have stated, the decision was arrived at before the meeting of the House, but the actual telegram was not sent until after. I communicated to the Secretary of State what had occurred in the House, and the first telegram was sent immediately on my return to the Foreign Office. It was sent at 7 o'clock on Friday evening. The right hon. Gentleman asks me to state what hour it would be in Egypt, and I am informed by those who are competent to speak on the point that we ought to allow two hours. That would bring the time to six minutes past 9 o'clock. [Lord RANDOLPH CHURCHILL: When would it get there?] I think if I said in 2½ or 3 hours I should be accurate. The first telegram was couched in these words — "Will the sentence against Suleiman Sami be carried into effect?" The second telegram was sent at a quarter past 8 P.M. It has already been read to the House. It was as follows:—

> "Has Macdonald any doubt as to the justice of the sentence of death passed on Suleiman Sami? Is the date of execution fixed?"

They were both sent to Sir Edward Malet. Then, Sir, we received the answer from Sir Edward Malet which has been already read to the House, dated June 11. The third telegram, which I have already read to the House, said that the evidence against Suleiman Sami established the fact that he was implicated in the burning of Alexandria and that he had acted contrary to his orders. Then there was a later telegram, which has just been received, which states that Major Macdonald considered the charges against Suleiman Sami proved and the sentence a just one, These are the facts; and what I wish to impress upon the House is that the Government did not send telegrams with a view to stopping the execution, because it is highly improbable that, if they wished to do so—which they did not—that course would have been the one likely to accomplish that end; but they were sent with the view of satisfying themselves positively that Major Macdonald was satisfied, so as to be able to say so in the House. The position of Her Majesty's Government was, that having taken steps, as they considered, sufficient to secure a fair and impartial trial, they did not think that in the complete silence of their adviser, Major Macdonald, there was any reason for their departing from the ordinary course, and not allowing justice to proceed in the case of Suleiman Sami, as in the case of other prisoners who had gone to their account for crimes committed—not in connection with the burning of Alexandria—for I believe I am right in saying this execution is the first one on that charge—but in connection with those other painful and terrible events which have attracted universal attention. I hope the House will see that Her Majesty's Government, in adopting that course, have acted in accordance with the known facts, and that they have been fully justified by the result; because they not only had the argument from the silence of Major Macdonald, but from absolute statements, confirmed, as I can prove them to have been, by all the probabilities of the situation, and all the facts, that Suleiman Sami, when he met his fate, deserved that fate, and that a bad and wicked man has gone to his account with the guilt of crimes upon him which have been execrated all over the civilized world.

LORD RANDOLPH CHURCHILL said, he thought the House had reason to be grateful to the right hon. Gentleman the Leader of the Opposition for giving them an opportunity for arriving at some enlightenment as regarded this terrible business of June 9. But he thought the House would agree with him when he said that nothing could be more unsatisfactory than the statement made by the noble Lord. It was unsatisfactory, because, with all its ability and ingenuity, the Government had a case which it was impossible to defend. The noble Lord had said that the Government never had any doubt as to the justice of the proceedings of the trial and conviction of the prisoner. That statement was rendered absolutely absurd and ridiculous by the proceedings of Her Majesty's Government on Friday. If they never had a doubt, why did they telegraph to Sir Edward Malet to make inquiry? If the Government never had a doubt, the Prime Minister never had a doubt. [MR. GLADSTONE: Hear, hear!] Why, then, was the right hon. Gentleman unable, at 2 o'clock on Friday night, to give the House any information on the subject? But the case appeared now to be much worse, because they seemed on Friday to have sent two telegrams which he could only characterize as panic-stricken. The first was to Sir Edward Malet, asking what day was fixed for the execution.

LORD EDMOND FITZMAURICE said, this showed the inconvenience of discussing Papers which had not been presented. The words were, "Will the sentence on Suleiman Sami be carried into effect?"

LORD RANDOLPH CHURCHILL said, that made it even worse, when they remembered that the Government had no doubt as to the justice of the trial. Then they had a second telegram which was sent to ascertain Major Macdonald's opinion on the trial. The first telegram was sent at 7 o'clock, and the other an hour later, on Friday. But they had been told that when Lord Granville saw the statement in *The Times* that Suleiman was condemned, he arrived at the decision that it was better to make inquiry. The President of the Local Government Board said that the delay in making the inquiry was due to the fact that it took a long time to put the telegram into cypher.

SIR CHARLES W. DILKE said, he merely suggested it as a possible reason because he was pressed to give names. Not being a Member of the Foreign Office, he could not know what were the circumstances which produced the delay. All that he said he knew was that a determination to inquire into matters of fact had been arrived at on Thursday night.

LORD RANDOLPH CHURCHILL: Thursday night?

SIR CHARLES W. DILKE said, he had stated that, and he had further said that Lord Granville had come to the determination after consultation with Lord Dufferin.

Lord RANDOLPH CHURCHILL said, then it was not to be wondered at that our foreign policy sometimes led to disaster. It seemed that on Thursday night they arrived at a decision to make inquiries, and yet, although this was a matter of life and death, no inquiry was sent till 7 o'clock on the following day. And, besides, no reply was received or could be received until Suleiman had been hanged. These were circumstances which, however the Government might attempt to brazen them out, would be considered by the country in a very serious manner. He was perfectly well aware that it was very convenient to the ruling authorities that he should be hanged. He should ask the House to consider for a moment the telegram which appeared in *The Times* on the 7th instant with reference to the trial of this unfortunate man. *The Times* Correspondent at Alexandria had watched these trials with great care. The Government had great confidence in him because he had been a firm and strong supporter of the Government of Egypt and of the English connection with it. He wrote as follows:—

> "The preliminary inquiry into the case of Suleiman Sami, who is accused of burning Alexandria, was conducted, according to the testimony of Major Macdonald, with perfect impartiality, and resulted in conclusive evidence of the prisoner's guilt. The prisoner did not deny the accusation, but alleged that he acted under the superior orders of Arabi. His four witnesses called to support this theory of defence gave contradictory evidence. The Commission considered that the defence was not proved, and committed him and his subordinate officers for trial by Court Martial. Sixteen days were allowed for the preparation of the defence. At the end of that period the prisoner's counsel threw up his brief. A second counsel who was engaged asked for 14 days to be allowed him, and eight were granted."

Before he went further, he wanted to recall a statement made by the Prime Minister before Whitsuntide as to the manner in which these trials were to be conducted. He (Lord Randolph Churchill) had stated that the prisoner was not present while the witnesses were examined, nor when they were cross-examined. The Prime Minister gave him a direct contradiction on these points, but he added that—

> "This was to be followed by the real trial, in which the evidence would be sifted, the witnesses cross-examined, and their evidence rebutted. He should agree with the noble Lord"—

that was an extraordinary thing—

> "if the preliminary proceeding concluded the whole matter, and if it were not to be followed by the real trial. It was not the first time the subject had engaged his attention. Immediately there was reason to believe that suspicion existed, Earl Granville took pains to inquire and ascertain the facts. The substantial object to be aimed at was that justice should be done. It was not necessary, and it would be highly inexpedient, to quash all that had been done; but it was necessary that the information that had been accumulated should be liable to be sifted, examined, rebutted, and contradicted. In this instance a pledge had been given that counsel should be employed; he understood that to mean the bringing out of all the facts of the case without fear or favour; and with that assurance he hoped the House would be satisfied."

Mr. GLADSTONE: That was as to the trial of Khandeel.

Lord RANDOLPH CHURCHILL contended that the pledge alluded to the case of Suleiman Sami and other political prisoners charged with him. Why did you appoint Major Macdonald to watch the case if you did not care about Suleiman Sami?

Mr. SPEAKER: I must call on the noble Lord to address himself to the Chair.

Lord RANDOLPH CHURCHILL begged to apologize, but he must repeat the question. Nothing could be more unworthy of the Prime Minister, and it would be the last thing he should attribute to him, that he should wriggle out of the matter by saying the pledge he had given only applied to the case of Khandeel. Now, let them read *The Times*' Correspondent as to the way in which the Government kept their pledges—

> "The proceedings having commenced, the counsel desired to re-open the entire question, to re-examine all the witnesses, and to summon fresh ones. The Court thereupon called on the Public Prosecutor, who demanded the condemnation of the accused upon the report of the Commission. The prisoners' counsel protested against the Public Prosecutor stopping the defence, and demanded the documents used and recorded in Arabi's trial. The Court refused this request, upon which the counsel threw up his brief. The tribunal was subsequently induced by Major Macdonald to allow the prisoners to call further witnesses. But its members have now suddenly announced their intention of closing the proceedings and pronouncing sentence to-morrow."

Why to-morrow? It was because the

Khedive instructed this impartial tribunal that he was anxious to enter Alexandria on Sunday, and it would have been extremely awkward that the Khedive of Egypt should enter Alexandria on Sunday morning, if the man who had reduced Alexandria to ashes in obedience to the orders of the Khedive were to be hung before his eyes. [" Oh, oh ! "] He asserted, and he defied contradiction, that the order to open fire on the English Fleet, which produced the bombardment of Alexandria, which let to the destruction of the town, was signed by the Khedive. He defied Her Majesty's Government to contradict that statement. He repeated the statement, and defied contradiction of it. *The Times*' Correspondent went on to say—

> "Major Macdonald has protested to Sir Edward Malet, and has asked for a suspension of the proceedings. The entire incident has been caused by the ridiculous mode of procedure which has been adopted, whereby one Court hears the evidence without pronouncing judgment, and another pronounces judgment without sifting the evidence; and also by the sheer inability of the Natives to understand the necessity of satisfying the public by holding an open trial."

Now, was it true that Major Macdonald had asked for a suspension of the proceedings? [An hon. MEMBER: It was not true.] All he could say then was, that Major Macdonald was a perfectly useless person, and unworthy of the confidence of Her Majesty's Government, if, after inducing the Court to say they would allow witnesses to be called, he did not protest when they said they intended at once to pronounce sentence. Further, what became of the Prime Minister's promise, in reliance upon which the matter was allowed to slide? Suleiman Sami had been sentenced to death and hanged by the Court before he could call a single witness—without being allowed to call a single witness—and yet that was the kind of tribunal before which the political prisoners were being tried in Egypt, that was the Court and that was the sentence which Her Majesty's Ministers now told the House they had no doubt was perfectly fair and just. He looked upon Her Majesty's Government as responsible for the hanging of Suleiman Sami as much as for the hanging of Timothy Kelly in Kilmainham. They could have stopped the execution in a moment if they had wished to do so; and he was justified in charging the Government, either from neglect or from some other cause, with the grossest and vilest judicial murder that ever stained the annals of Oriental justice. [" Oh, oh ! " *and* " Hear ! "] He charged the Prime Minister and his Colleagues with the murder of Suleiman Sami, and he challenged him to say that his pledges had been fulfilled. Suleiman Sami wanted to call Arabi Pasha as a witness. Arabi gave Suleiman Sami his first appointment in the Army in 1882—he gave him the command of a regiment—and from that time to the suppression of the revolution he was under the orders of Arabi. What was the charge upon which he was hanged? For having been responsible for the destruction of Alexandria. Suleiman Sami was left behind by Arabi to cover the retreat of the Egyptian Army; that Army was in a state of complete panic at the idea that the English forces were about to land and occupy Alexandria, and he had one thought and one thought only, and that was how to get the Egyptian troops out of the town, and, as a military measure, he decided to burn the European portion of the town in the hope that the English forces would be diverted from their pursuit of the Egyptian troops. Did the House admit that as a defence—[" No ! "]—when that measure was adopted for military purposes? If not, then that man ought not to have been hanged. If the Government did not admit that as a defence, why did not they hang Arabi? On what just grounds could they acquit the Commander-in-Chief and hang one of his inferiors? Why had the Government hesitated to ask for a delay of a few weeks for the purpose of taking Arabi's evidence by commission in Ceylon? There was another reason why Suleiman Sami was entitled to the consideration of Her Majesty's Government. Was the House aware that Suleiman Sami was the person who on the 11th of June one year ago had put a stop to the massacres at Alexandria? Was Her Majesty's Government aware that it was not until he arrived with his regiment at 6 o'clock that these massacres were stopped, and that if he had not arrived many Europeans in Alexandria would have perished? He now came to a matter he had touched upon last Friday. It was of vast importance to the Egyptian Government that Suleiman Sami should be hung. He was in command of the only efficient regiment of troops, and at 5 o'clock Omar Lufti sent a message to Suleiman Sami to bring his regiment into town to put down the riots; but they were to come unarmed. He disobeyed that order and came with his regiment, under arms, and put a stop to the riots and saved the lives of hundreds of Europeans. And it has been proved in evidence that the police, under the direct orders of Omar Lufti, committed massacres of the Christians. The House would find that statement substantiated over and over again by evidence given by Naval officers, who said that about 6.30 the regiment of Infantry appeared and drove the mob off. That proved the cardinal fact that Suleiman Sami, even if he had burned Alexandria, was entitled to every effort that could possibly be made to save his life, because, when our soldiers and sailors did not dare to land, Suleiman Sami came with his troops and saved the lives of hundreds of our fellow-countrymen. Never had Her Majesty's Government shown baser ingratitude, even in the case of the Bechuanas—though that was bad enough—for here they allowed to go to execution the man who had rendered them signal service. It was, however, essential to the Government of Egypt that Suleiman Sami should be hung, because he could prove the conduct of Omar Lufti on the day of the massacres, and that he was the tool of the Khedive of Egypt. There was another man in Alexandria, Ahmed Khandeel, who was Prefect of Police, now lying in a dungeon in Alexandria, who might be tried in exactly the same way, and who, if the House of Commons did not take the matter out of the hands of the Government, would most certainly be hung. The conscience-stricken action of Her Majesty's Government on Friday afternoon showed how surprised they were to find how much was known about this matter. That alone proved that they were not satisfied with the course of action that had been pursued. He left the matter for the public to judge of, and he charged the Government again with having been the responsible authors of a judicial murder; and he called upon them, while exculpating themselves from the charge, to take care that they were not guilty of another.

MR. GLADSTONE: Sir, I am so accustomed, upon such a variety of subjects, to the loud assertions and sweeping accusations of the noble Lord, that, perhaps, they make less impression on my mind than they would on the mind of one less accustomed to his mode of action. I generally observe that his accusations become more unmeasured and his assertions more sweeping in proportion to what we ultimately find to be the nullity of the truth of them. The noble Lord finds a leading article in one newspaper this morning, and the communication of a correspondent in another, and the matter supplied from these sources he brings down to the House as establishing an irrefutable case, we having had, of course, no opportunity of testing them, and not being in a condition to deny them—[*Cheers*]—unless, indeed, we are disposed to adopt the method which the hon. Member for Cavan (Mr. Biggar), by his cheering, seems to suggest—namely, that we should go about like the noble Lord to anonymous and unauthoritative sources, and allege before Parliament, as a matter of fact, everything that we can gather in the way of surmise or suggestion from these unauthorized informers. Sir, I cannot follow the noble Lord; I find him so inaccurate. I find that when he is contradicted on one point, he so rapidly substitutes another that it is hardly possible, without too largely drawing upon the patience of the House, to attempt to follow him. The noble Lord thinks he has established a most astonishing and irrefragable case against me because, although I said that I never had any doubt as to the propriety of the sentence passed on Suleiman Sami, yet I agreed to ask for further information. That the noble Lord treats as establishing a conclusive case against me. I agreed to ask for further information on the subject to satisfy the noble Lord, and not to satisfy myself; and it is because I do not choose to make what satisfies me the measure of what satisfies the noble Lord, he comes down to the House and treats that as an admission on my part that I had been entirely wrong in professing to have no doubt upon the case. Because I declined to make the noble Lord's mind the measure of mine he would now compel me to make my mind conform to the measure of his—a process that I respectfully decline. You have heard the loud assertions of the noble Lord with regard to Ahmed Khandeel, and the manner in which the promises have been broken, the wretched state of this man, and with regard to the administration of the law. It does happen, but by singular good fortune, that I have received a few words which are really authentic with regard to Khandeel, within the last few hours—namely, a telegram from Sir Edward Malet, who says—

> "I have received the following telegram from Macdonald, dated Sunday:—'Khandeel has had every opportunity of calling witnesses for the defence during the "instruction," and he called one, who gave evidence against him. Mr. Beaman is his counsel.'"

Lord RANDOLPH CHURCHILL said, neither the prisoner nor his counsel could be present at the "instruction;" and, therefore, he could not call witnesses then.

Mr. GLADSTONE: The noble Lord says he did not call witnesses; but Major Macdonald says he did call witnesses, and I believe Major Macdonald. This House will not suffer itself to be led away from its duty and from the dictates of good sense by the violent assertions of the noble Lord made in defiance of the responsible evidence of the most competent persons. Then the noble Lord has, in his best language, described me as wriggling out of an assertion that I have made.

Lord RANDOLPH CHURCHILL: Pardon me; what I said was, that the Prime Minister would not wriggle out of his assertion.

Mr. GLADSTONE: I think that I had better not examine too closely into the literal accuracy of the statement which the noble Lord has now made; but if he says that I would not wriggle out of an assertion I am at one with the noble Lord. Now, the noble Lord said that we had given certain specific promises with regard to the trial of the political prisoners. I may observe that his treatment of the subject is most inconvenient, because it entails the constant necessity of a number of further explanations and protestations. We never made any promise at all at the time to which the noble Lord refers with regard to the political prisoners, nor do we admit for a moment that Suleiman Sami was a political prisoner. We did not look upon him and his fellow-prisoners as political prisoners at all. Then, said the noble Lord, apparently with great triumph, "Why did you appoint Major Macdonald to attend the trial?" and loud cheers followed from the Gentlemen behind as if the noble Lord had convicted us of some inconsistency. The explanation of our conduct was this. Although we did not concede that these men were political prisoners, still we knew that the acts in respect of which they were arraigned were acts which were committed within the precincts of time marked out by the rebellion, and we thought it just and wise to have the proceedings carefully watched. There is the whole explanation of the matter in regard to which the noble Lord thought that he had made so damaging a discovery. The noble Lord has said that the Government ought to have made the greatest exertions for the purpose of saving Suleiman Sami's life in consequence of the splendid service which he rendered on June 11th. True, Suleiman Sami was the commander of a regiment of Egyptian troops, which had very late in the day a material share in putting down a movement which ought to have been put down very much earlier in the day. We are not in a position to say whose fault it was that it was not so put down; but with respect to Suleiman Sami, I must say that I have never before even heard such a notion as that he in the part that he took in putting down that movement was doing anything more than acting ministerially in obedience to orders which he received from his superior officers.

Lord RANDOLPH CHURCHILL: In strict disobedience.

Mr. GLADSTONE: Of course, our knowledge is not unbounded like that of the noble Lord. It is limited, unfortunately, to that which we have received from men like Lord Dufferin, Sir Edward Malet, Major Macdonald, and Sir Charles Wilson, who is now in London, and from whom we may be able to supply a little information to check that of the noble Lord. But from none of those gentlemen have we ever received the slightest intimation that the character of Suleiman's action on June 11th was what the noble Lord boldly proclaims it to be. What does the statement of the noble Lord come to on that point? If his statement with regard to the action of Suleiman Sami is right, Sir Edward Malet and Major Macdonald must have been substantially cognizant of the character of that action. [Lord R. CHURCHILL: No, no!] Then what are they good for? The noble Lord is perfectly ready in reliance on his anonymous and irresponsible authority to place no confidence in the experience, responsibility, and honour of the servants of the Crown. He has no choice in the dilemma in which he has placed himself. If Suleiman Sami performed on June 11th an extraordinary service by disobedience to a military order, either Major Macdonald, Sir Charles Wilson, and Sir Edward Malet knew it or did not know it. If they did not know it, they are certainly totally unfit for the position which they hold. If the fact could reach the noble Lord with all the clearness and absolute certainty with which he has laid it before the House, strange, indeed, must have been their blindness to the facts passing around them if they remained in ignorance of the matters asserted by the noble Lord.

LORD RANDOLPH CHURCHILL: It is in the Blue Book.

MR. GLADSTONE: I deny that the facts as the noble Lord has stated them are recorded in the Blue Book. According to the noble Lord, these English gentlemen, knowing that this splendid service had been rendered on June the 11th, by Suleiman Sami, nevertheless allowed him to become the victim of the foulest judicial murder ever perpetrated, and yet could send home reports that the trial had been fair. I wish the noble Lord were under some real responsibility. I wish he knew what he is doing in making these charges, and using his privilege of speech in this House for the purpose of casting out the most scandalous and shameful accusations—first upon the Egyptians, and then upon Judges who are members of this Court—men like Morris Bey, the English Judge, and Frederigo Bey, the Italian member of the Court. But the noble Lord casts his net a little wider, and includes in it Sir Charles Wilson and Sir Edward Malet.

LORD RANDOLPH CHURCHILL: I never said a word about Sir Charles Wilson.

MR. GLADSTONE: I have just been stating that these were the gentlemen who must have known these things which, according to the noble Lord, occurred. Well, Sir, if these matters are to be handled in this way, it is impossible to make any progress with public affairs. I do not pretend to say that we have the same knowledge of the trial which is now in question as we should have had had it been conducted on this floor, in our own language, and within our own personal observation; but I stand entirely upon the assurances of competent, upright, experienced, and responsible officers, bound by the most stringent instructions and by the clearest rules of duty as to the reports which they might make. Sir Edward Malet and Major Macdonald report to us that the sentence has been just, and that the trial has been conducted, not, indeed, according to our procedure, but in conformity with the rules of substantial justice; and I am bound to say that the assurances of competent persons, over and above the letter of those reports, give reason to believe not only that this man was guilty of the crime for which he was sentenced and has been executed, but that the circumstances of his guilt on the day of the burning of Alexandria, were circumstances of great aggravation, and such as are opposed to the supposition that he was acting under superior orders. The noble Lord seems to think that if he was acting under the orders of a superior, he has an immunity from guilt.

LORD RANDOLPH CHURCHILL: No; from hanging.

MR. GLADSTONE: That is an argument which cannot be maintained. We did not inquire when we had eight men hung for the Palmer murder, whether those eight men were all originally guilty. It is not possible to lay down such a doctrine as this, that in regard to murder, assassination, and other great crimes, no man shall be punished except the person in whose mind the idea originated, and from whom the command proceeded. In no case do we act upon such a principle. We have had other men hung—[Mr. BIGGAR: Innocent men]—for the massacres in Alexandria, and this man has now been hung for his participation in the burning of Alexandria, for deeds distinctly proved, and not only reported not to have been done under the orders of superiors, if that argument were good for anything, but distinctly reported to have been executed in defiance of the orders of Arabi Pasha. The noble Lord says it was a political necessity that this man should be executed.

Lord RANDOLPH CHURCHILL: I did not say it was. I said the man might have proved it if he had had the chance.

Mr. GLADSTONE: I understood the noble Lord to say that the man had proved it. Well, Sir, we stand here perfectly ready to give the House any intelligence a reasonable or an unreasonable curiosity may require as to the details in connection with this matter. I do not pretend to be in possession of all the details of these trials, any more than I am in possession of all the details of the trials in Ireland. We stand upon the reports obtained from our trusted and trustworthy agents, some in Egypt, some in London, and all of them worthy of every possible confidence. The noble Lord seems to think that we are perfectly free in the matter, and that the Government have not been acting with a distinct principle all along. I believe the letter of September, 1882, has long ago been in the hands of hon. Members. In that letter, addressed by Lord Granville to Sir Edward Malet, the Government give the following pledge:—

> "Her Majesty's Government would not, however, take any steps to prevent execution in any cases such as the following:—(1), having been guilty of taking part in the burning of Alexandria;"

and then follow a number of other categories, in regard to which we solemnly pledge ourselves not to interfere, and the House of Commons knew that we had pledged ourselves not to interfere.

Lord RANDOLPH CHURCHILL: What about Arabi?

Mr. GLADSTONE: The noble Lord throws upon me a mode of conducting this question which it is impossible for me to follow out. Arabi never was found guilty of the burning of Alexandria, but this man was. Arabi was a man to whom our pledge had no application. Here is a pledge on record unchallenged by the House of Commons. Had it been challenged, we should have been ready to defend it before the House and the country. But it exists, and must be held to bind us. I am, therefore, not content to plead not guilty to the charge of the noble Lord, or to put in a plea for consideration or indulgence; but I contend that, in the absence of any clear presumption or proof of the miscarriage of justice in the trial for the burning of Alexandria, we had bound ourselves to the Egyptian Government not to interfere with the sentences or the execution of the sentences; and had we attempted so to interfere, we should have been guilty of gross bad faith.

Mr. BOURKE said, it was quite clear that on that occasion the House could not decide the grave questions raised by this discussion. He quite agreed with the Prime Minister that on both sides of the House they had every reason to be perfectly satisfied that the trusted agents of the Government would see justice done. But upon that occasion no question of that sort arose. On the present occasion they found that certain facts were brought to the notice of Her Majesty's Government which were considered so grave as to induce them to make certain inquiries. It was perfectly clear that everything the Government had done within the last three or four days had been perfectly useless. Now, Her Majesty's Government said that they never had any doubt on this question. It had been proved that that was not a plea which the Government could urge, for if it were true that Lord Granville came to the conclusion to make inquiries and sent to Cairo before the matter was mentioned in the House, it was clear that there was a *primâ facie* case for inquiry made out in the minds of Her Majesty's Government.

Mr. GLADSTONE said, that he was in his place in the House for 10 hours on Friday and had no opportunity of consulting with Lord Granville.

Mr. BOURKE said, that it was clear that Lord Granville, before the question was mentioned in the House, thought that there were certain features connected with the case which made it expedient that he should send another telegram to Cairo. That was clearly sent for the purpose of stopping the execution of this man, provided Sir Edward Malet thought there was any reason for it. If the telegram was not sent for that purpose, would the noble Lord say what it was decided to do?

Lord EDMOND FITZMAURICE said, that he had already stated that it was decided to send the telegram for the purpose of obtaining fuller information, so that they would not only have the negative argument against the necessity for interfering with the execution derived from the silence of Major Macdonald, but the positive testimony of the Representatives of this country. There never was any idea of sending a telegram to stop the execution.

Mr. BOURKE said, it was then clear that the Government wanted information at that time on a subject as to which they now said they had no reasonable doubt. It had been abundantly proved that the undertaking given by Her Majesty's Government was an illusory one, as it was perfectly impossible that any good could be done by it. Whether this man was guilty or not, the House had certainly been misled into believing that the action taken on Friday last had induced the Government to adopt a course which, under the circumstances, could not be effective in saving this man's life. With regard to the merits of this case, there would be abundant opportunity of discussing it; but the House should bear in mind that the Court which sentenced the man to death did not hear one word of the evidence. What was the ground for asking for delay? It was not that he could bring forward evidence that he was acting under superior orders; that upon the report of Major Macdonald did not arise. He was accused of burning Alexandria, and upon the facts he admitted he was guilty; but the defence he wished to urge before the second Court could not be raised before the first. It was a case where they were told it was clearly the opinion of this wretched man and his advisers that he would have involved others in the trial. This man was the first accused of burning Alexandria; but that was a different crime from the massacre, and the question would arise whether this country should not interfere with the execution of any man alleged to be guilty of that offence. It would, he thought, require a considerable amount of argument on the part of Her Majesty's Government to show that the execution of a soldier's duty in carrying out an act of war of that kind was to be treated as a crime of the deepest dye, and the offender was to be treated simply as a civil prisoner guilty of the offence. Those were questions which, no doubt, would be raised hereafter. He hoped that the Government would give the House an opportunity of discussing the question at an early day. They understood that Papers were to be submitted forthwith, and he should take an early opportunity of asking what day Her Majesty's Government would give for the discussion of the whole subject.

Mr. O'DONNELL observed that the Prime Minister had formerly made the same declaration with respect to Arabi Pasha that he had now made with regard to Suleiman Sami. The Premier asserted that there was no parity between the cases of Arabi and Suleiman Sami, the former being a political prisoner and the latter an ordinary criminal. Now he found, from the report in the Press of the discussion which took place in the House on the 10th of August last, the Premier attacked the reputation of Arabi Pasha precisely as he attacked that of the unfortunate Suleiman Sami to-day. The right hon. Gentleman declared that Arabi had falsified the most sacred obligations in war—those attaching to the use of a flag of truce, and he charged Arabi with having abused a flag of truce "for the base and abominable purposes of conflagration and loot." Having himself made an interjection on hearing that statement, the right hon. Gentleman rebuked him for doing so, asserting that the matter was one admitting of no dispute, but which was absolutely as certain as the bombardment of Alexandria. Notwithstanding that certainty in the Premier's mind, Arabi was not even brought to trial, although unquestionably, if he had been brought by the Khedive before one of his assassination Courts, he would have been found guilty and murdered, as his subordinate, Suleiman Sami, was murdered on Saturday. That case afforded an illustration of the right hon. Gentleman's method of carrying on war in Egypt, "on the principles of peace." Soldiers were hanged for acts of war, as if those acts had been committed by private persons in time of peace. Unless some stronger guarantees were afforded to the House than any yet given to it, it would be difficult for the House to have any confidence that a *bonâ fide* inquiry would be instituted into the trial of Suleiman Sami, or of any other person whom the Khedive and his supporters were interested in removing. The Khedive and his "ring" were as much engaged by every selfish consideration in cloaking the facts as to the case of Suleiman Sami, as the men in whose interest the Egyptian Finance Minister—a person inconvenient to the bondholders—was murdered some years ago, were interested in cloaking the facts of that monstrous crime. The men in Egypt on whom they were relying were just as likely to light upon the truth in this instance as any other band of criminals would be, except under a pressure of terrorism, which the Government certainly would not apply. He hoped that the promised Papers would be soon forthcoming, and that at the eleventh hour some consideration for plain dealing would induce the Government to prevent any more judicial murders. His own belief was that nothing would be allowed to appear in those Papers from Egypt which could possibly be kept out of them by any hair-splitting refinements and wire-drawn distinctions.

MR. GLADSTONE said, he rose for the purpose of obtaining an explanation. He had been accused by the hon. Member of having said, on the 10th of August last, that Arabi Pasha was personally guilty of the burning of Alexandria, and of having used the same terms against him as he had that night used against Suleiman Bey; and that charge the hon. Gentleman said he could support by a reference to *Hansard.*

MR. O'DONNELL said, he had quoted from a leading article in to-day's *Echo,* which gave, in inverted commas, the words of the report of the Premier's speech on the 10th of August, in which was the statement that Arabi Pasha had employed the flag of truce for the base, abominable purpose of looting and conflagration.

MR. GLADSTONE: I hope the hon. Member will be a little more careful before he quotes leading articles of newspapers against his fellow-Members in this House. I fortunately caught enough of the quotation to be able to make reference to *Hansard* myself; and I find, at page 1394, vol. 273, that I distinctly charged upon "the Military Party" in Egypt that that Party did not scruple to falsify the most sacred of all obligations in war—namely, those attaching to the use of a flag of truce—and that, while pretending to have pacification in view, not only had no such purpose, but used the hours gained by the employment of that flag of truce for the base and abominable purpose of conflagration and looting. I carefully avoided the name of Arabi Pasha, and it does not appear in *Hansard* at all. I did not, and could not, know whose the guilt was—I knew the guilt was there. The hon. Member has misquoted me in a manner for which I hope he will proceed to apologize.

MR. O'DONNELL: I certainly have to bear evidence to the fact, on reference to *Hansard*—which I had not previously seen—that the quotation referred to is exactly as the Premier has stated, and that the report in the newspaper materially alters the right hon. Gentleman's statement.

SIR CHARLES W. DILKE said, the right hon. Gentleman the Member for King's Lynn (Mr. Bourke) had said that the Government on Friday gave an illusory pledge; but that was not the case. On three occasions during the debate on that day, it was stated that the Government would not interfere to prevent the execution taking place. The noble Lord the Member for Woodstock (Lord Randolph Churchill), in his speech, which had been disposed of by the Prime Minister, spoke of this execution as the foulest judicial murder that had ever been committed, and he cheered the hon. Member for Dungarvan when he referred to it in similar terms. He also spoke of the Court as the Khedive's assassination Court. Was the noble Lord aware of the fact that a distinguished English Naval officer of the highest character and discretion was a Member of that Court?

LORD RANDOLPH CHURCHILL: Perhaps the right hon. Gentleman will allow me to explain. I called it a foul judicial murder, because the prisoner was condemned by a Court which did not allow him to call witnesses, or to cross-examine witnesses called against him; and that, I say, is judicial murder.

SIR CHARLES W. DILKE said, that the noble Lord went a great deal furthur, for he told the House that the reason why these steps were taken was in order to cover a shameful intrigue, and to spare the Khedive from compromising evidence. Considering that Morice Bey, an Englishman and an officer of the highest reputation, was a Member of that Court, he thought that the conduct of the noble Lord was hardly to be described in Parliamentary terms. He had received from Sir Charles Wilson some notes on the trials, which he would like to read to the House.

Sir H. DRUMMOND WOLFF said, he objected to documents being read which were not official documents. He wished to ask the Speaker for a ruling on that point.

Mr. SPEAKER said, if the right hon. Baronet was now quoting from an official document he was bound to present it, unless it would be against the public interest to do so.

Sir CHARLES W. DILKE said, it was not an official document; but the moment he was able to communicate with Sir Charles Wilson he would ask him to place it in that form, so that it might be presented to the House.

Lord RANDOLPH CHURCHILL wished to know whether the right hon. Baronet was in Order in quoting from the document? There was no guarantee that it could be examined hereafter.

Mr. SPEAKER said, that, not being an official document, the House could take it for what it was worth.

Sir CHARLES W. DILKE said, he would promise the noble Lord that when he had had the opportunity of communicating with Sir Charles Wilson it should be laid on the Table. Sir Charles Wilson said that while watching the trial he had on many occasions visited the prisoners in their cells; and every one of them stated that Suleiman Sami had taken a leading part in the firing of Alexandria. He never denied it himself, but pleaded, in justification, that he had Arabi's orders to do so. But there was no direct evidence that Arabi had issued such an order; and he and his officers, who during the trial were in separate and solitary confinement, denied issuing such an order. If the destruction of Alexandria had been ordered as a military measure the destruction would have been systematic, and those buildings which would be useful to our troops when landed would have been destroyed. His impression was that Suleiman carried out a threat which he had often made to burn Alexandria, and also to gratify his wish for revenge upon his personal enemies, and that he took advantage of the disorder which existed to do so. During the destruction Suleiman rushed about on horseback like a madman, and forced the soldiers to set fire to the different buildings in the city. He thought those facts would be serviceable to the House.

Lord RANDOLPH CHURCHILL: But they are not evidence.

Sir CHARLES W. DILKE: No; but Sir Charles Wilson was present at every trial.

Lord RANDOLPH CHURCHILL: It never came out. Is that the evidence that was given at the trial?

Sir CHARLES W. DILKE said, he was not in possession of the evidence given at the trial, or he would have produced it. Sir Charles Wilson went on to say that the conduct of Suleiman at the Commission of Inquiry produced an unfavourable impression; and, although the other prisoners showed some spirit, this man appeared to be one of those in whom power could only exist together with great ferocity. His conduct on the scaffold also seemed to bear out this view. He would add nothing to that statement of Sir Charles Wilson. He thought it spoke for it itself. As regarded the action of Sir Edward Malet, he had been guided by the instruction laid down in a despatch which would be laid before the House shortly. The noble Lord had argued that it was the duty of the Government to direct the procedure of Courts of Law in Egypt. But he would remind the House that the Government did not attempt to direct the procedure of the Courts of Law in this country. Why, then, should they do so in Egypt? The real point for the consideration of the House was, whether an innocent man had been done to death, or whether a man had been executed who was really guilty?

Mr. WARTON said, that was not the point. The point was, whether there had been a fair trial?

Sir CHARLES W. DILKE said, that with regard to that Her Majesty's Government did everything they undertook to do in appointing officers of the highest integrity and character to watch the proceedings. Lord Dufferin, in his despatch of the 28th of April, 1883, told them that when Sir Charles Wilson left Egypt he requested Major Macdonald to discharge the same duties in conjunction with other gentlemen. The Members of the tribunal were men of intelligence and honour, some of them having a considerable knowledge of law, and two of them were Europeans. From first to last English officers had been present, with instructions from the Government not to interfere in the general conduct of business, except in case of any gross and flagrant infraction of justice; and Major Macdonald had reported that he was generally satisfied with the result arrived at. Lord Dufferin expressed his opinion, in terms which he hoped the House would soon have an opportunity of seeing, to the effect that if there had been any miscarriage of justice, it was in the fact that numbers of persons had escaped who ought to have been convicted. Suleiman Sami was arrested in Crete by the Turkish Government as a man who had been chiefly concerned in the burning of Alexandria, and, after his arrest, was immediately handed over to the Egyptian Government. There was no gross or flagrant violation of justice. The Government had satisfied themselves of that. They did all that the House ever asked them to do, and all that it was wise, prudent, and right that they should do. Lord Dufferin bore testimony to the indefatigable way in which Major Macdonald had discharged his duties; and he (Sir Charles W. Dilke) maintained that the Government had adopted the best possible course under all the circumstances of the case.

Baron HENRY DE WORMS said, he had listened with the greatest possible attention to the observations of his right hon. Friend the President of the Local Government Board; and, although he had had many opportunities of admiring both his knowledge and ingenuity, he had never before seen him to greater advantage. The right hon. Gentleman had tried, in a few well-chosen sentences, to turn the issue on the point before the House. According to him, the whole question was simply whether an innocent man or a guilty man had been convicted; whereas the real question was whether an innocent or a guilty man had had a fair trial, and there was a very broad difference between those two propositions. If it had been simply a question of consigning Suleiman Sami to the tender mercies of an Egyptian tribunal, the House and Her Majesty's Government would have had no responsibility in the matter; and here arose one point which struck him as showing how strangely illogical was the conduct of the Government in this matter. They argued, on the one hand, that they had no right to interfere; and, on the other hand, they said they were sure of the justice of the sentence, because it had been watched by an English official. But the whole question before the House had been so extraordinarily mixed up that it was necessary to remind the House that the real question—a very simple and clear one—was, whether the Government were responsible, directly or indirectly, for the hasty manner in which that capital sentence had been carried out? He maintained they were. He had ventured to say on Friday evening, when the question was before the House, that the cases of Arabi Pasha and Suleiman Sami were on all-fours; and he now maintained that statement. The President of the Local Government Board, a year ago, in answer to a Question of the hon. Member for Portsmouth (Sir H. Drummond Wolff), told the House that, in his opinion, Arabi Pasha was guilty of complicity in the murders.

Sir CHARLES W. DILKE said, it was better to be accurate on these occasions; and the words used were, that there were grave reasons to suspect the complicity of Arabi.

Baron HENRY DE WORMS said, it made no difference whatever that Arabi had been taken by our troops. There were grave reasons why Arabi should have been treated as a criminal, and Suleiman was only his lieutenant. Why was it that some 34 hours were allowed to elapse before the first telegram was sent on Friday by Her Majesty's Government? Could any reasonable man accept the explanation of the President of the Local Government Board that the delay arose in consequence of the time required for reading and sending a cipher telegram? Were they to suppose that the clerks of the Foreign Office were engaged for 30 hours in putting into cipher the words—"Will the sentence be carried out?" How was it that Her Majesty's Government came to inquire whether the sentence would be carried out? They ought to have known that it would. When requested to delay the execution, they sent a telegram of inquiry, and not, as they ought to have done, a telegram demanding that the execution should be stayed. According to their own account, they had the statement of Major Macdonald, who, they said, was watching the trial, and of Sir Edward Malet, that the trial was a fair one. Why, then, did they send a telegram at all? The reason was because they wanted to make it appear to their Radical friends that they had no control over affairs in Egypt. To such an unworthy consideration of Party expediency was this man's life sacrificed with such unseemly haste. If the Conservative Government had been sitting on the Treasury Bench while these things were being done, every platform in England—and in Scotland, too—would have been made to ring with words of disapproval and denunciation of that want of humanity which, in the opinion of certain philosophical Radicals, was a characteristic of the Tory Party. When the noble Lord the Member for Woodstock (Lord Randolph Churchill) quoted a statement of *The Times* Correspondent as to certain witnesses not being examined, was that statement refuted? Not at all. The Prime Minister was extremely indignant; but simple negatives were not arguments, and the mere assumption of indignation did not bring conviction to the minds of those who saw it. In point of fact, a man had been done to death, and Her Majesty's Government had allowed an official of the Crown to be present at the proceedings, thus giving the sanction of England to doings which were *ab initio* illegal. It was said that we had no right to interfere. But a very few months ago, at the bidding of the United States, we stayed the execution of Dr. Lamson. Surely we had it in our power, at all events, to delay the execution of Suleiman; and it should be remembered that this was the Government which had introduced a Bill for the establishment of a Court of Criminal Appeal. He would say that the blood of this man was unquestionably on the Government of this country, and a stigma would attach to the Government so long as it existed. He did not say whether the man was innocent or guilty. [*A laugh.*] Would any hon. Gentleman who laughed allow an Englishman to be hanged upon such evidence? He did not for a moment urge the innocence of Suleiman; but what he maintained was that the man had not had a fair trial, and that the Government were responsible for the trial not being fair.

Mr. LABOUCHERE felt bound to say that, though there was no absolute proof that the Khedive was the instigator of the massacre at Alexandria, there was an exceedingly strong *primâ facie* case made out against him; and he hoped the noble Lord the Member for Woodstock (Lord Randolph Churchill) would place the evidence upon which he relied in the hands of the Prime Minister. An old proverb said that if you wanted to discover the author of a crime you must find out who profited by it. In the present case no one but the Khedive could have profited by it. The statement that Arabi was directly interested in bringing about English intervention in Egypt had always appeared to him particularly absurd, for if we had not interfered Arabi would have remained master of the situation, and that was not the object of the Khedive. The fact was, the Khedive, while desiring British interference, was unquestionably willing that the National Party should be prejudiced in our eyes. It was now admitted by the Government that Arabi Pasha had nothing to do with the massacres, yet the President of the Local Government Board declared, on the 25th of June last, that Arabi was guilty of complicity in the attack on the Europeans. That showed how imperfectly the Government were informed at that time on this subject. As regarded Suleiman, he thought there was no doubt he interfered, by means of his troops, to put a stop to them. In that he did a good action, which ought to be remembered to his credit now. The noble Lord said he interfered because he was ordered to do so by order of Omar Lufti; but he declared he acted in pursuance of a despatch from Arabi. Arabi telegraphed to Suleiman because Suleiman was at the head of the troops, and he could trust him. It was likely enough they were now making a similar mistake as to the Khedive. But, after all, what if Suleiman Sami did burn the city? Alexandria had been bombarded, the white flag had been hoisted, Arabi and his troops were retreating; Suleiman was left to cover the retreat, and the English were shortly expected to land. Surely it might be contended that in setting fire to the town he was only exercising his rights as a belligerent? It was a terrible act, no doubt; but war could never be made pleasant or humane, and a military measure, however severe, if it was expressly ordered, would not be punished by any Court Martial in the world. The

Prime Minister had imported into the discussion what was not before the tribunal. Suleiman was not condemned for obeying orders, but because, as the Court contended, the orders never had been given. He thought it highly improbable that this man had burned down Alexandria. When the noble Lord said he was condemned, not for obeying orders, but for having disobeyed them, he wished to know whether they were to understand that Arabi had ordered him not to burn the town, and that he had replied, "I will burn it," and did so? It was strange a Commission was not sent out to Arabi to ask him what his orders were. A great deal had been said of the French procedure, and of this he knew nothing; but, whatever it was, it was contrary to the most elementary principles of justice. At the preliminary inquiry neither Suleiman nor his counsel were allowed to cross-examine any of the witnesses, and the *dossier* was forthwith submitted to the Court Martial. That was certainly not in accordance with our own notions of justice. It was true, of course, that an inquiry could not be held into the details of every trial that too place in Egypt; but, in this instance, the Government had put themselves into a thoroughly false position. On the one hand, the details of all the trials could not be watched; on the other, we maintained the Khedive by our soldiers, and were, therefore, responsible for all the acts of his Government. The Egyptians hated the Khedive; and, should they one day refuse to pay the taxes, English troops would be called upon to help to enforce payment. So long as we maintained the Kdedive in his position against his people, so long should we make ourselves directly responsible for the consequences. He hoped the Government would elect to do one thing or another in Egypt—either to take the country or to leave it, but no longer to occupy a position in which we were *de facto* rulers, while *de jure* we had nothing to do with the administration of the country.

SIR HENRY HOLLAND said, he desired to bring back the attention of the House to the more precise charge against Her Majesty's Government which he had urged against them on Friday last, and which he was prepared, in a few words, to urge against them again this evening. He did not propose to discuss the question of the guilt or innocence of Suleiman Sami, though, after the very able speech of the hon. Member for Northampton (Mr. Labouchere) which they had just heard, no one could doubt that a very grave question might be raised upon that point. And as regarded the unofficial, but disparaging account of Suleiman Sami read to the House that evening, he must observe that the Government could not have been influenced by that account, which was only received after the man had been hung. Nor did he propose now to discuss the system of procedure which was adopted at this trial, though here, again, it could hardly be doubted that the system was one which must be, in the highest degree, distasteful to Englishmen. Whether the sentence was just or unjust did not affect his (Sir Henry Holland's) charge against the Government. That charge was that doubts having been raised, rightly or wrongly, with or without foundation, against the proceedings, the Governmentought, in a case of life and death, at once to have telegraphed off and requested that the execution, which was shamefully hurried on, should be postponed for, at all events, a few days. It had been urged by the Government that this was an ordinary criminal case, and that they had no right or claim to interfere; but the debate had shown that there was a strong political flavour about the case. Granted that the charge was for arson, what was the defence? Suleiman Sami did not deny that he had set fire to the town; but he said that this step was taken for military reasons, and under the orders of his superior officer, Arabi. This defence brought the case within the category of a political trial, and, in truth, made it closely similar to the case of Arabi, in which the Government had practically interfered. This ground, then, failed the Government, as it was impossible fairly to divest the trial of a political character. He must add that our peculiar position in Egypt, and the fact of our engaging Major Macdonald to attend and watch the proceedings, made it further incumbent on the Government to see that those proceedings were regular and in accordance with justice. He had heard with some regret that the Government had only authorized interference or remonstrance in cases of "flagrant infraction;" and he thought that in cases of life and death those instructions should be enlarged. He was satisfied that the country would approve of an alteration of those instructions, so as to secure a fair trial in such cases. It must be remembered, however, that in the present case the Government were not blamed for not demanding a new trial, but for not having asked that the execution should be postponed until certain information had been obtained by the Government, and certain doubts removed. But then the Government said that they had no doubts, and the Prime Minister denied more than once that he entertained any doubt; and he distinctly stated that they had only decided to ask for information for the purpose of satisfying the doubts of the noble Lord the Member for Woodstock. He (Sir Henry Holland) was astonished when he heard this statement, as the Colleagues of the Prime Minister, the President of the Local Government Board and the Under Secretary of State for Foreign Affairs, had stated, with a view to show their readiness in the matter, that there had been a conference at the Foreign Office on Thursday, and that a decision had then been arrived at to telegraph out for information to Egypt. That showed the absolute inconsistency of the statement of the Prime Minister, that the information was only sought for to satisfy the noble Lord. That decision on Thursday showed that the Government themselves entertained some doubts, either as to the proceedings at the trial, or as to the rapidity with which the execution was hurried on, and it could not have been arrived at merely with a view to satisfy the doubts of the noble Lord; doubts which, in truth, the Prime Minister seemed to consider as unfounded and uncalled for. The Prime Minister said the Government entertained no doubts, because Major Macdonald had been present at the trial, and had been silent. But it was a remarkable fact that in *The Times* of Thursday, in a letter from the correspondent of that paper, it was stated that Major Macdonald, while satisfied with the preliminary inquiry, and with the manner in which it had been conducted, had protested to Sir Edward Malet against the Court Martial proceedings, and had asked for a suspension of the proceedings. That report might have been without foundation; but as the Government stated that they entertained no doubts because they had not heard from Major Macdonald, it surely was their duty to have made inquiry at once into the truth of this statement, and to have demanded postponement of the execution of this unfortunate man until they were satisfied upon the point. They ought not to have waited for the meeting of the House on Friday, and they would not have done so had they been in earnest, or recognized the gravity of the case. There was great reason to doubt whether, if the House had not met on Friday morning, and if strong pressure had not been put upon them, any telegram would have been sent. And when they did send a telegram, what was the nature of it? Simply an inquiry whether the sentence would be carried out. Not an inquiry for information, not a demand that the execution should be delayed, but merely whether it would take place. True, a further telegram was sent for information; but Suleiman Sami was hung before an answer could arrive. The charge against the Government was a grave one—indeed, there could hardly be a graver—namely, that they had been reckless about the life of a man, when there was reasonable doubt as to the fairness of his trial. Whether the man was or was not guilty, the Government was bound, when a doubt had been raised, to send a telegram to stop the execution until there had been time to make inquiries as to the manner in which the trial had been conducted.

Mr. JOSEPH COWEN said, the case before the House had been fairly and temperately put by the hon. Member for Midhurst (Sir Henry Holland). They were not discussing whether Suleiman Sami was or was not guilty of the offence laid to his charge. He might have been the greatest scoundrel in Egypt, or he might have been the opposite. That was not the point. The question was whether he had had a fair trial, and whether the Government had fulfilled the engagement they made with the House on Friday. The facts lay in a small compass. Intelligence of Sami's conviction reached this country on Friday morning. The Government were questioned about it on Friday afternoon. They were told that men of experience—well competent to judge—believed that the trial had been hurried forward, and that the man had not had a reasonable opportunity of defending himself, Those charges might or might not be correct; but they were made by men of character and authority, and they were entitled to respect. The Government were asked to telegraph to Egypt and get the execution postponed until such times as the truth or falsehood of these accusations against the tribunal and against the sentence could be investigated. This request was not preferred by an irresponsible person, and it was not made in a frivolous manner. It was made by the recognized Leader of the Opposition in that House—a Gentleman who had held high Office in the State, who, in all probability, would hold high Office again, and who, by disposition and training, was not likely to take an extreme or strongly partizan view of the question. The Government, at the right hon. Gentleman's request, undertook to telegraph to Alexandria—the object of the message being to stay the execution. They did telegraph, it was true; but they telegraphed at a time and in a way that was ineffective. The wording of the telegram in itself was most extraordinary; and it was sent at an hour when, even if the authorities had been disposed, they would have had some difficulty in complying with its request. The House complained that the Government—having agreed to telegraph—did not telegraph sooner; that they did not couch their demand in more decided language; and that they did not prevent the execution. They certainly had power to do so, and could have done so if they had desired. It was useless to say that it was not customary for one foreign nation to interfere with another in such matters. They had an instance in England quite recently, where a foreign country had interfered on behalf of a man who was not a citizen of that country, but from which it was thought evidence in his favour could be supplied. The House would recollect the case of Dr. Lamson. His execution was stayed for three weeks, if not longer, in order to allow time for evidence to come from America, which, it was supposed, would induce our Government to forego the sentence of death. If the United States Government were justified in making that representation to England, and we acted upon it, surely the Egyptian would be much more justified in acting upon the request of the English Government to stay the execution of a man for a few days, or a few weeks, if it had been necessary. England stood in a very different relation to Egypt to what America stood in relation to England. Whatever we asked the Khedive to do, he had no alternative but to comply; and, therefore, having neglected to interpose, the hanging of Sami really took place with the approval of this Government. In their own interest, it would have been well if they had interfered; for, whatever might be said, the fact remained that a considerable amount of suspicion surrounded the whole transaction. It might be true that the insinuations against the Khedive were justified. He hoped they were not justified. He knew that Tewfik had been placed in a position of terrible responsibility; that great pressure had been brought to bear upon him; and it was quite conceivable that his course of action might have furnished grounds for some of the reports that were circulated to his detriment. He (Mr. J. Cowen) made no charge against him. But still the impression prevailed in this country, in Egypt, and throughout the East, that, with a view to get quit of a disagreeable witness, the witness's death had been hastened. Now, if the Government had allowed these charges to be investigated, the suspicions might have evaporated. If it had been proved upon investigation that there was no ground for the accusations against the Khedive, and if everything the Ministry had said had been borne out by further inquiry, then their course, the Khedive's course, the character of our interference, and the position of the Government in Egypt would have been largely strengthened. As it was, the suspicion that had been generated would hang round the whole of our action. The Government placed great reliance upon the testimony of their agents. He did not say a word against either the character or credibility of these personages. Lord Dufferin, Sir Edward Malet, and Major Macdonald might be —he believed they all were—honourable and trustworthy men. But they were not infallible. They might be mistaken. Our Agents had been mistaken before. Ministers might excuse or explain it as they liked; but it was an undeniable fact that they succeeded in leading the House to believe — and through the House the country—that Arabi and his Colleagues were a gang of unprincipled adventurers. They were playing for their own hand, and that alone. They had no end in view but one, and that was a selfish one. They would sacrifice the lives of their countrymen and the interests of the world to gain their own purpose. Again and again these accusations were made in that House, and by Ministers out of it; and now they had to con- fess that some of the charges were unfounded, and some of them unjustifiable. Recently they had admitted that Arabi was a patriot, and they treated him as such. They had had panegyrics pronounced in that Chamber upon an Italian patriot who had also been a rebel. There was as good reason for speaking favourably of the character of this Eastern soldier who had fought for his country as of either Italian or Hungarian soldiers who had fought for their countries under like circumstances. As the Government had been wrong in the case of Arabi and his Colleagues, might they not also be wrong in the case of Sami? They had said many hard things of Sami, some of which, perhaps, might be true; but it should be remembered, to his honour, that he was instrumental in putting down the riots in Alexandria on June 11. It should also be remembered to his credit that he served with the Egyptian Contingent under Hussein Pasha in Bulgaria; and they had the evidence of independent witnesses that he acquitted himself admirably in that campaign. His reputation was nothing to him now, and it could not be much to his friends; but these facts should be stated when such unqualified condemnation was passed upon him. But the moral of the whole discussion was this—Our Government occupied an anomalous position in Egypt. Sometimes we asserted absolute authority; at other times we pleaded the authority of the Khedive as a reason for our not interfering. We should have to make up our minds whether we intended to remain in Egypt, or whether we intended to leave. We could not hang—as Mahomet's coffin did in mid-air—between responsibility and non-responsibility. He believed we should be compelled to remain, whether we liked it or not. The Government might talk about retiring, and they might wish to retire; but the circumstances would be too strong for them. We were as little likely to retreat from Egypt as from India. If it was criminal for us to go there, it would, under the present aspect of affairs, be almost equally criminal to leave. We had overturned the Government that existed; we had rendered the establishment of National Government impossible; and w should be driven to remain to sustai the shadowy authority that we had call into existence. It was well for country to realize that position. It, highly unsatisfactory, and might be s gerous. The discussion that had place that night was one of man cussions they would have of a li racter. Every case of the k turned up would be debated House, and the Government that held responsible for it. They d be therefore resolve to st fore, either leave altogether, er or

Sir H. DRUMMOND WOLFF said that at that time there were on the Treasury Bench three Ministers, one knew very little delayed, place. of the information telegraph message while the other two were ignorant. The Under Secretary for Foreign Affairs was asked whether a day had been fixed for the execution; and the noble Lord replied—"No, Sir."

Lord EDMOND FITZMAURICE was understood to dissent.

Sir H. DRUMMOND WOLFF read the Question and the Answer.

Lord EDMOND FITZMAURICE said, that the Answer was accurately reported, but not the Question.

Sir H. DRUMMOND WOLFF asked whether the noble Lord knew at the time the date fixed for the execution?

Lord EDMOND FITZMAURICE said, that he did not.

Sir H. DRUMMOND WOLFF said, that was all he contended for; and the Government had known nothing about it all through. They did not know the opinion of Major Macdonald, and they did not telegraph to him until it was too late for the execution to be stopped. The right hon. Gentleman at the head of the Government, speaking on the 16th of August, 1882, said—

> "Remember the flag of truce! Who sent that flag of truce? Was it an unauthorized act? Will anyone tell me that it is rational to believe that act was otherwise than the act of persons in power—namely, Arabi and his coadjutors? How were the hours employed which were basely gained by the abuse of that flag of truce? They were employed in letting loose anarchy and conflagration upon Alexandria."—(3 *Hansard*, [273] 1948.)

When the right hon. Gentleman was taxed with having accused Arabi of being the author of these outrages he denied having done so, and called on the hon. Member for the quotation on which he founded the assertion. That quotation did not refer expressly to Arabi; but the right hon. Gentleman did not tell the House that four days later he referred to Arabi by name. He wanted to know whether the Government received any Report or information as to this trial after the 30th of April? Did they, between the 30th of April and the 8th of June, the day on which the sentence was passed, have any communication with Major Macdonald as to the course of the trial? The hon. Baronet the Member for Midhurst (Sir Henry Holland) had quoted a passage from *The Times* which had been previously quoted by his noble Friend the Member for Woodstock (Lord Randolph Churchill), and which stated that Major Macdonald had protested against the trial. Had the noble Lord opposite any information on that subject? If not, the absence of such information showed the levity with which the Government had connived at this atrocious act in Alexandria. They had a right to know not only the truth as to this trial and hurried execution, but also whether any steps were being taken to prevent a similar course of proceeding with regard to Said Khandeel? Did the Government intend to carry out the promises made by the Prime Minister before Whitsuntide in favour of Said Khandeel? The Government felt that they were responsible, to a great extent, for what was really a judicial murder. ["No!"] The right hon. Gentleman at the head of the Government knew that it was so. In one of the lamest speeches he ever delivered, with no argument, and nothing but a certain amount of arrogant bravado, the right hon. Gentleman endeavoured to escape the consequences of this most wicked and mischievous transaction. [*Murmurs on the Government side.*] He protested in the strongest manner against the levity with which the Government had treated this whole question, and asked the House to consider seriously what would be the result of this sentence and hurried execution upon our reputation in Egypt. If the country had one mission more than another when it went into a country of that kind, it was to see that justice was properly administered.

MR. VILLIERS-STUART said, that, as far as public opinion in this country went, he should not have thought it necessary to say a word in vindication of the Khedive from the mischievous charges so recklessly made by the noble Lord the Member for Woodstock. He maintained that not a word on the subject would have been necessary in this country, because the sacrifices which His Highness had made in order to carry out loyally his engagements to England were fresh in our recollection. But it was otherwise with regard to the effect of these insinuations in Egypt. There was no story, however wildly improbable and absurd, which might not be received with credence among such an excitable people as the population of Cairo and Alexandria. It was impossible, therefore, to overrate the mischievous consequences of such statements made in the British House of Commons if they remained uncontradicted. He had the honour of an interview with the Khedive last winter, and His Highness gave him a graphic description of the condition of helplessness to which he was reduced during the rebellion. He said—"The Princess and my children were in the power of Arabi, and my own life was at his mercy. I was perfectly helpless, and I was not responsible for anything that was done during the rebellion." That was the statement of the Khedive; and it was borne out by the statements of almost all the Europeans and Natives with whom he had conversed in Egypt. The correspondent of *The Times*, writing from Egypt on the 6th of June, said—

> "The Khedive sits in his palace powerless, helpless, and almost hopeless. Only one man rises paramount out of the confusion—Arabi Pasha. This is a sad picture, when one thinks of the steady progress of only one year ago."

That was written five days before the massacre. On the 14th of June, after the massacre, the correspondent of *The Times* wrote—

> "I have seen the Khedive; he is behaving admirably. He said—'I cannot express the disgrace I feel. But for my wife and family I should not care to live.'"

It seemed that the Khedive at that time, so far from being in a position to take the initiative in a great public crime such as the burning of Alexandria, could not count on the safety of his own life from one hour to another. He heard a great deal of gossip in Egypt with reference to the massacre and the burning of Alexandria, and it was pretty consistent. It pointed to a very different quarter than the Khedive. He hoped the generosity of that House would prompt it to remember that the danger in which the Khedive had been placed was owing to his loyalty to England. He trusted they would not desert their ally on the present occasion, and that they would give unmistakable evidence that they regarded this charge as being utterly groundless. A charge had also been brought against Lord Alcester—namely, that he sanctioned the bombardment of Alexandria in order to avenge the massacre. But, when in Alexandria after the bombardment, he had made it his business to visit the Native quarter to see what damage had been done; and he was able to state that there were very few traces of the bombardment in that part of the city. If Lord Alcester's wish had been to avenge the massacre, he would have directed his fire on the Native quarter, and not have limited it to the forts, as he had been careful to do. It was well known by whom the European quarter was destroyed. He believed that our policy in Egypt had the approbation of the great majority of Englishmen; and the unanimous testimony of the Natives with whom he spoke was that our intervention had saved Egypt from ruin.

Sir GEORGE CAMPBELL thought a great many things had been said that evening which had better have been left unsaid. In his opinion, the charge against the Khedive of being responsible for the bombardment was almost absurd, and the accusations against the honour and truth of Her Majesty's Government were wholly unjustified. There was no doubt, however, that Suleiman Sami had been executed in a most precipitate manner; and the House was entitled to some assurance from the Government that they would take care that the trials of the prisoners who were still to be tried should be conducted in a fair and just manner. He was one of those who felt that we ought never to have gone to Egypt; but as we were there, we were responsible for the fair administration of justice; we were bound to provide that in regard to this matter of judicial procedure there should be decent and fair procedure. He did not mean according to English forms—for he was not a great admirer, in many respects, of our procedure, but admired rather the Scotch, which was more like the French system—but he hoped that a fair and decent trial would in all cases be granted to the remaining prisoners.

Sir R. ASSHETON CROSS said, that at 2 o'clock on Saturday morning he asked the Government whether they would telegraph to their own authorities at Cairo to ascertain whether this man had had a fair trial, and, if they got no satisfactory answer, whether they would interfere to delay the execution? To that question he received no answer. The House wanted some assurance from the Government that the man had had a fair trial, and that their own accredited Agents were satisfied on the subject. The Government afterwards gave two most extraordinary answers, which were contradictory of each other. The first answer, as far as he understood, was that the Government had no right to inquire. They would have a right, it was said, to interfere in the case of a political crime; but this was not a political, but an ordinary crime, and one which was exclusively within the cognizance of the Khedive. What was the other answer? It was entirely contradictory of the first. [Mr. Courtney dissented.] He did not expect the Financial Secretary to the Treasury to agree with him. It was that the Government were quite satisfied that the man was guilty, and that the trial had been a fair one, because they had not heard to the contrary from their accredited Agents. The Prime Minister said that the Government had never doubted this. But Lord Granville evidently had the greatest doubt. [Lord Edmond Fitzmaurice dissented.] The noble Lord shook his head; but why did he telegraph—why did he interfere at all in the matter? For if he was not satisfied, why did he not telegraph earlier—why did he not telegraph till Saturday morning? Then, at 2 o'clock on Saturday morning, the noble Lord promised to telegraph within an hour. But the man was executed at 4 o'clock on Saturday morning; and, bearing in mind the difference in time between Egyptian and English time, anyone could see the uselessness of the whole proceeding. By no human possibility could the telegram be of any use. The conduct of the Government was wholly inexplicable, Which defence were the Government going to abide by? If they had no right to interfere, why did they telegraph at all? If they had a right, why did they not interfere when some good might come of their interference? They could not ride both horses at once. The House ought to have some assurance that those criminals who remained to be dealt with should have a fair trial. They were not satisfied that there had been a fair trial in this case; and every means ought to be taken that in future cases there should be no miscarriage of justice.

MR. GORST said, that it was quite clear that no Members of the Government intended to make any further statement on the subject. He hoped, therefore, the House would pardon him for intruding in the debate. The conclusion to be drawn from the speech of the Prime Minister was, that he was extremely uneasy about the events which had been taking place in Egypt. The Prime Minister said very hard things about the noble Lord the Member for Woodstock, because he quoted from anonymous communications in newspapers against the Khedive. He was, perhaps, a little open to a sense of incongruity; and he could not help recollecting the Prime Minister himself, on the strength of writings which were anonymous, made some extremely severe remarks on the Sultan of Turkey.

MR. GLADSTONE: When was that?

MR. GORST: At the time of the Bulgarian atrocities.

MR. GLADSTONE: The hon. and learned Gentleman is entirely wrong.

MR. GORST said, well, in any case, he was not wrong in what he was then going to say. The right hon. Gentleman took the noble Lord to task for saying that he held Arabi Pasha at any time responsible for the massacres; but the Government had taught them to believe that that was the case. The then Under Secretary of State for Foreign Affairs said, on the 25th of July last, that—

> "There is no doubt, I fear, that that leader was guilty of complicity in the preparations for the attack on the Europeans in Alexandria on the 11th of June."—(3 *Hansard*, [272] 1769.)

And on the 16th of August the Prime Minister said, with regard to the flag of truce—

> "Will any one tell me that it is rational to believe that act was otherwise than the act of persons in power—namely, Arabi and his coadjutors?"—(*Ibid.*, 1948-9.)

So that, although it now suited the convenience of the Government to say that Arabi had nothing to do with it, it then suited them to say that he had. The case was, however, to his mind, proved by the documents. Anybody who studied them must see that Arabi was not guilty of these crimes. After Arabi was a prisoner Sir Charles Wilson wrote home to say that there was no evidence to connect Arabi with the massacres. Well, if that were so, who was guilty? Had the Government ever instituted an inquiry into that matter? No; they had remained in wilful and persistent ignorance, and that was a circumstance pregnant with suspicion. If, however, they looked into events, it would be seen that it was the civil authority, as distinguished from the military, that caused the massacre. The Civil Governor at that time was Omar Lufti, who hoped to succeed Arabi as Minister of War in case of his dismissal. The Military Commander was Suleiman, who was, no doubt, responsible, to a certain extent, to Arabi. He was in constant communication with the Khedive, and had been quite recently at Cairo. There they had very valuable evidence.

MR. SPEAKER said, that the definite matter of urgent public importance which had been brought forward on the Motion for Adjournment was the action of the Government in the recent trial and execution of Suleiman Sami at Alexandria. He must ask the hon. and learned Gentleman to confine himself to that Question.

MR. GORST said, he begged respectfully to point out to the Speaker that he was now travelling over ground which had been gone over by more than one speaker. It appeared that Suleiman Sami had been executed in great haste by the Egyptian authorities, because they were afraid that he might give evidence which would implicate persons of high position; and he was only following the events of the 11th of June, in order to show that Her Majesty's Government had failed in their duty. Various Naval officers, including Lieutenant Forsyth, Surgeon Joyce, and Lieutenant Bradford, declared in their depositions that they did not notice a single case of a policeman interfering to stop the riot; that, in their opinion, the riot was premeditated, and that the police continually fired on the Europeans until about half-past 6 o'clock, when a regiment of Infantry—Suleiman Sami's regiment—arrived and drove them off. A man named Petcovitsch, also said that, although at 6 o'clock there was peace in the city on the arrival of the soldiers, yet that at the Prefecture of Police the massacre continued until 7.30. He did not say that this made out the case; but, at all events, there was a case for careful inquiry by the Government, and there was a case for the Government stepping in to prevent the Khedive's Ministers hanging up right and left everybody who might throw light on these mysterious proceedings. The Prime Minister's statement with reference to the instructions given to the officers of the English Government in Egypt, that they were not to interfere with the administration of justice in certain cases, really amounted to a direct indication to the Egyptian Government to hang up everybody whom they might connect in any way with these events. Did the Government really intend to leave the Egyptian tribunals to judge and sentence anybody they pleased? Was Major Macdonald to watch the proceedings in the case of Said Khandeel in the same way as in the case of Suleiman? The Prime Minister knew very well that, having established the Government of the Khedive, he was morally responsible in the eyes of the country and the world for the use the Egyptian Government made of the power thus bestowed upon them. If the Prime Minister did not take care, he would find himself in the most awkward of all political positions—that of supporting an Oriental despotism, the acts of which he could only imperfectly control. He would find himself mixed up with cases of tyranny, injustice, cruelty, and oppression, against which his own conscience would revolt. [Mr. Hopwood: Hear, hear!] It was not to be supposed that the conscience of the hon. and learned Member for Stockport, who interrupted, would revolt. How long did the Prime Minister intend to go on in ignorance of the evidence of the proceedings which had taken place? All that Major Macdonald said about Suleiman Sami's case was that the trial was a just one, and the man deserved to be hanged. But surely more was required than that a man deserved to be hanged. Why, how many people deserved to be hanged? He had heard it suggested that he himself, and some of his Friends round about him, richly deserved that punishment; but, if they were tried and condemned in a manner revolting to the instincts of justice, he believed that even the hon. and learned Member for Stockport would hesitate to award the punishment. [*Cries of* "Divide!"] Suleiman Sami was dead, but there was another Egyptian, Said Khandeel, now awaiting trial; and were the Government going to allow him to be tried and executed in the same unceremonious fashion? Were they going to send out any instructions to our Representatives? Unless the Government treated this question with more seriousness, the conscience of the country would be thoroughly awakened, and they would find they had a very awkward question to meet.

Sir STAFFORD NORTHCOTE said, he did not wish to put the House to the trouble of a Division, and would ask leave to withdraw the Motion.

Question put, and *negatived.*

ORDERS OF THE DAY.

LORD ALCESTER'S GRANT (*re-committed*) BILL.—[Bill 207.]

(*Sir Arthur Otway, Mr Chancellor of the Exchequer, Mr. Gladstone.*)

COMMITTEE. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [8th June], "That Mr. Speaker do now leave the Chair" (for Committee on Lord Alcester's Grant (*re-committed*) Bill."

And which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Sir Wilfrid Lawson,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. BIGGAR said, he opposed the grant, on the ground that no particular skill was shown in the bombardment of

Alexandria, and that no great victory was achieved by a Fleet of overwhelming power silencing a few comparatively weak forts. If a real fight had occurred between our Fleet and a Fleet equal to it in power and armament, and the former had been victorious, he thought the grant would be thoroughly justifiable; but he protested against a grant for services which had given no evidence of skill or ability.

MR. WADDY said, he felt it impossible to give a vote on this occasion without explaining the reasons why he gave it; because, while he felt it impossible to vote for this grant to be made to Lord Alcester on the one hand, and Lord Wolseley on the other, he should be sorry if it were imagined that the motives that actuated him were such as had been too obvious a great deal in the remarks of some hon. Members who had taken part in the debate. The proposal had been made an opportunity for attacks on the character of Lord Alcester, which he much deplored, on his skill, on the bravery and conduct of our troops, and on the policy of the Government—points which ought not to have been introduced into the discussion, and with which the question had really nothing to do. He based his opposition to the grants on broader grounds. In the first place, because the services rendered—however well they might have been performed—were not such as, according to the history of the country and the precedents of former times, warranted the bestowal of such large amounts of money. He contended that, compared with those precedents, the present proposal was an extreme and a very exceptional one; and, in proof of this, he might refer to the case of Lord Rodney. He gave this instance simply as one illustration out of scores, and it was not necessary to multiply cases. Lord Rodney had performed many services far more dangerous and far more important than those rendered by Lord Alcester before any rank whatever was conferred upon him, and before any pecuniary reward was given to him. When those honours were conferred they were given slowly and by degrees; and the Peerage was conferred only as an acknowledgment of most distinguished services. Yet, in the present case, they were to proceed at once *per saltum* to such a reward as that proposed. In the next place, he protested against pecuniary rewards being given for military services at all. If the officers who commanded our Army and Navy were not adequately paid, let them be so; but he objected to their receiving large grants of this kind in addition to their pay for the services they rendered; and he hoped this would be the last time they should hear of such a thing being done. The practice was not observed in the other Departments of the Public Service; and he wished to see the same principles brought to bear on the Army and Navy as were applied to them.

MR. WARTON said, there were pensions and rewards in the Civil Service, and pensions were enjoyed by ex-Ministers of State. Peerages ought to be accompanied by pensions, in order to enable the recipients to maintain the dignity of their position. He was sorry the Government had changed the annuities into lump sums, for they had lost a day, which might have been saved by firmness in adhering to their original proposition. It was a pity that such grants should provoke opposition, for that deprived them of half their grace.

Question put.

The House *divided:*—Ayes 229; Noes 45: Majority 184.—(Div. List, No. 125.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Grant of £25,000 to Baron Alcester).

MR. MACFARLANE moved, in page 1, line 13, to leave out the words "twenty-five thousand," and insert the words "twelve thousand five hundred." He did not think it was necessary that there should be a protracted discussion upon the matter; but his object was to reduce the Vote to the same sum as that which had been granted to General Sir Frederick Roberts and General Sir Donald Stewart. He should carefully avoid saying one word in disparagement of Lord Alcester; but there was no comparison between his achievement and that for which General Roberts and General Stewart received sums of £12,500, or only one half the sum now proposed. There was absolutely no comparison between them. It was said that in the one case the Government only gave a Baronetcy, and that it was usual to grant a smaller sum in the case of a Baronetcy than in that of a Peerage. He failed to see why it was more necessary to confer a Peerage upon Sir Beauchamp Seymour and Sir Garnet Wolseley than it was in the case of General Roberts and General Stewart. He objected altogether to the payment of blood-money of this kind. He thought the proper reward for soldiers was promotion in their profession, and not so many pounds a-head for every Egyptian they had killed. He begged to move the Amendment standing in his name.

Mr. ONSLOW said, that, in rising to second the Amendment, he, like his hon. Friend, did so without any intention of disparaging the services Lord Alcester had rendered to the country. He seconded the Amendment for the same reasons as his hon. Friend had moved it. The work General Roberts and General Stewart had done was far superior to anything Lord Alcester had done. The House would recollect that Lord Alcester was fighting against a people who were practically offering no resistance at all, and who could not possibly successfully oppose him; whereas General Roberts and General Stewart encountered a nation of warriors. There was no comparison whatever to be drawn between the achievements of Lord Alcester and those of General Stewart and General Roberts. He had voted in the minority on the last occasion, and he had done so for this reason—because he thought that the rewards given to Lord Wolseley and Lord Alcester were far superior to the achievements they had performed. He knew it was said that when they gave a Peerage to a person, they must accompany it by a money grant sufficient to enable the title to be supported. But he did not see why the performance of very insignificant duties should be rewarded in this very ultra-magnificent way. He failed to see in the past history of the country that such extravagant rewards had been conferred; and he asked the right hon. Gentleman the Prime Minister to look at the performances of many officers, who had not been rewarded at all, and compare them with the achievements of Lord Wolseley and Lord Alcester. The country had granted a Peerage to these officers, who had, no doubt, done their work well; but he thought that a sum of £12,500, in addition to the Peerage, was quite ample compensation.

Amendment proposed,

In page 1, line 13, to leave out the words "twenty-five thousand," and insert the words "twelve thousand five hundred,"—(*Mr. Macfarlane,*)

—instead thereof.

Question proposed, "That the words 'twenty-five thousand' stand part of the Clause."

Sir GEORGE CAMPBELL said, he was opposed to any grant at all; and he strongly objected to the principle of giving annuities for two lives. That part of the proposition which represented the second life he objected to; but he could not go so far as the Amendment. He was quite willing to accept the decision of the House to make a grant to Lord Alcester and Lord Wolseley; and he was not disposed to cut the amount below the value of the pension originally proposed for one life.

Mr. O'BRIEN said, he was not inclined to huxter over the amount of the reward proposed to be given to Lord Alcester; but he thought it grotesque to find the House discussing this enormous grant to a man who was responsible for the destruction of Alexandria, after they had been discussing all the evening and justifying the execution of an Egyptian soldier, who had only had a small share in the burning of that city. Surely an Egyptian soldier had as much right to burn Alexandria as Lord Alcester had to bombard it. Both took the course which they deemed to be most effectual, from a military point of view; and, although he entertained no great hopes of the Liberal Party, he had hoped they would have been consistent enough to advocate the hanging of Lord Alcester, instead of rewarding him for causing much more bloodshed, and with much less justification, in bombarding Alexandria than Suleiman Sami in what he had done. He was quite sure the hon. Member for Carlisle (Sir Wilfrid Lawson) and some of his Friends were sincere in opposing the grant, and that he did not object to it in any mere huxtering spirit; but, while he said this, judging from the demeanour of the Radical Party generally during these discussions, their extreme timidity in offering any opinion of their own, and their great impatience when anybody else had anything to say against these Bills, he could only regard their opposition to them as a mere sham. They thought more of saving two hours of the Government time than of all who had been killed and hanged in consequence of Lord Alcester's demonstration. He hoped the hon. Member would press the Amendment. Hon. Members opposite, a few years ago, were loud in their denunciations of Lord Beaconsfield, for fear he might lead the country into taking part in what would have been, at all events, a less inglorious war than that which had occurred in Egypt. He hoped the country would watch the conspiracy of silence on the Radical Benches, having for its object the expediting of Bills which they pretended to oppose.

MR. GLADSTONE said, he trusted the House would not expect him to enter at any length into the question. The hon. Member who had moved the Amendment gave it as his opinion that the services of Lord Alcester and Lord Wolseley were inferior to other services which had been rewarded with the sum now proposed. The question was one which connected itself with the grant of a Peerage. He admitted that the House was not responsible for the grant of a Peerage in these two cases; but he thought it had the approval of an overwhelming majority of the House. It would be invidious, and very unprofitable, to follow the comparison into detail; but if any hon. Member would carry his eye along the column of the Return that was printed a short time ago on the Motion of the hon. Member for Portsmouth (Sir H. Drummond Wolff), and which exhibited all those pensions, he would see that it was no great wonder the Government had arrived at the conclusion that the services performed in that case, with the immense responsibility attending them, and the most formidable consequences that would have followed any want of care, courage, or judgment in the execution of the operations, were services of a class which should carry Peerages with them; and, if that were so, then the reward now proposed was not an immoderate one. But the hon. Member for Carlow (Mr. Macfarlane) had, in the main, founded his objection to the grant on principle; and it being, therefore, only the re-trial of the Motion which the House had just decided, he could not doubt that the House would repeat the judgment it had already given.

MR. BIGGAR (who rose amid calls for a Division) said, it was always objectionable to act in a hurry. He thought that the Prime Minister had adduced an argument against the proposed reduction of the Vote. As for the evil consequences that might have ensued if a blunder had been committed, it would have been an evidence of the grossest mismanagement on Lord Alcester's part if any misfortune had occurred in such operations. Some hon. Members would probably recollect that about 30 years ago the performances at Vauxhall used to wind up with the blowing up of some fortifications; and the achievement of our Admiral at Alexandria was, in his view, very much on a par with that *finale* of a Vauxhall entertainment. The reward proposed to be given by the Amendment was quite sufficient for such a feat.

Question put.

The Committee *divided*:—Ayes 242; Noes 37: Majority 205.—(Div. List, No. 126.)

MR. PARNELL said, he proposed to move an Amendment reducing the amount of the grant to £20,000. Many of his hon. Friends considered that that sum would be ample—and, indeed, more than ample—for the purpose intended.

THE CHAIRMAN said, he must point out to the hon. Member that, as the words "twenty-five thousand pounds" had been agreed to by the Committee, he would not be in Order in moving the proposed Amendment.

Question proposed, "That Clause 1 stand part of the Bill."

The Committee *divided*:—Ayes 250; Noes 18: Majority 232.—(Div. List, No. 127.)

Clause 2 (Short title).

Question put, "That Clause 2 stand part of the Bill."

MR. O'DONNELL: I beg to propose an Amendment to this clause.

THE CHAIRMAN: The hon. Member is too late. I have already put the clause to the Committee.

Mr. O'DONNELL: Then, Sir, it is my distinct impression that I rose at the very first moment compatible with the respect I have for the Chair to move my Amendment. But as you rule that I am too late, I must challenge a Division upon the Question, "That the Clause stand part of the Bill."

Colonel ALEXANDER said, although he did not agree with the views of the hon. Member for Dungarvan (Mr. O'Donnell) on the subject, yet he was bound to say that the hon. Member rose immediately the clause was called.

Mr. GLADSTONE said, if the hon. Member desired to move an Amendment, he should have risen before the Question was put from the Chair.

Mr. O'DONNELL said, of course he accepted the ruling of the Chair that he had risen too late to propose his Amendment; but, at the same time, it was absolutely impossible for him to have risen any earlier. His intention had been to move to leave out the title of the Bill, so that the Act might be thereafter cited as "The Piracy at Alexandria Grant Act." As it was too late for him to move that Amendment, he could not do otherwise than take a Division upon the Question, "That the Clause stand part of the Bill." "Lord Alcester's Grant Act" was neither a proper, nor a sufficient, nor a fitting title for the Act; and, in his opinion, some such Amendment as he had proposed to move was required to characterize it correctly. If the clause were carried in its present form it would probably lead to some practical inconvenience in the future conduct of the measure; it was possible, however, that Her Majesty's Government, who had already led the House into the very depths of difficulty with regard to the Bill, would be able to see their way to modify it. This was a Bill for the remuneration of one of the most infamous acts of piracy on record amongst civilized or uncivilized nations, and should be designated as it deserved; and it was in order that hon. Members should have an opportunity of expressing their opinion upon it that he moved the rejection of the clause.

The CHAIRMAN said, he had anticipated no Amendment to the clause, and he might have put the Question somewhat rapidly; but, as a matter of fact, he did so before the hon. Member rose.

The Committee *divided*:—Ayes 245; Noes 16: Majority 229.—(Div. List, No. 128.)

Bill *reported*, without Amendment; to be read the third time upon *Thursday*.

LORD WOLSELEY'S GRANT (*re-committed*) BILL.—[Bill 208.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone.*)

COMMITTEE.

Order for Committee read.

Mr. GLADSTONE: I rise, Sir, to move that you do now leave the Chair on this Bill, and I need not detain the House at any length. There is, however, a short explanation which I wish to offer. In the first place, I am sorry to have found that, without my intention, an expression used by me in a former debate upon this Bill has given offence to Lord Strathnairn. I used the expression, I believe, that the services of Lord Strathnairn were not special. I meant to use that phrase in a particular narrow and technical sense; and to express the fact that Lord Strathnairn's distinctions were not gained in any special expedition, like those of Commanders sent specially on a particular service. Lord Strathnairn, I believe, is not aware of this. Certainly, nothing could be more repugnant to my feelings than to have said anything derogatory to the noble and gallant Lord. I had no intention of comparing one distinguished General with another; and I am bound to say that I think the services of Lord Strathnairn will stand upon their own footing, and are not in the least danger of disparagement, even if I had intended to say anything tending towards their disparagement. There is also another matter I wish to mention. I do not know whether the hon. Gentleman the Member for Londonderry (Mr. Lewis) is in his place or not; but, on a former occasion, he made what was understood to be an accusation against me for having charged Sir Frederick Roberts with cruelty in Afghanistan, and he read an extract from a letter of mine, which he has been good enough to place into my hands. I could not recollect at the time the accusation was made what I had really said in the letter; but, upon referring to the letter, I am not surprised, but I am rather glad, to find I made no reference whatever to Sir Frederick Roberts. I was aware General Roberts' name was connected with the allegations which had been made with regard to the great severity supposed to have been exercised over the people of Afghanistan. I made no reference to him whatever, but I recited a great number of accusations, a great number of imputations connected with the Afghan Expedition, on which I entertained very strong opinions indeed, and I expressed at the time my hope that some of these accusations, at all events, would be denied. The accusations were subsequently denied; and on one occasion, shortly afterwards —on the 25th of March in the same year —when I had the honour of addressing a meeting in Mid Lothian, I adverted to the subject, and noticed the denial, and stated with what great satisfaction I found that General Roberts, who had been accused, had been able to deny the charges made against him. I think it due to General Roberts and to myself to make these few observations, as the statement of the hon. Member for Londonderry was calculated—no doubt unintentionally —to mislead the House. With regard to the Bill now before us, I have already adverted briefly to the manner in which we have arrived at the sum mentioned in it; and, therefore, I do not think I need dwell upon it now. The House, I imagine, has heard as much as it is disposed to hear on this question. There is, however, one word I wish to say. I heard some hon. Gentlemen say—Gentlemen who are entitled to great respect, and who speak with great sincerity and integrity of purpose—I heard them say they did not think that Naval and Military Officers ought to receive special rewards. They ought, these hon. Gentlemen said, to be sufficiently paid, and if they were sufficiently paid, that ought to be enough, and we ought not to have these rewards to give. I differ from that view. I do not think it sound. I am not one of those who think this country treats with illiberality any class of its servants, Naval, Military, or Civil; but I hold this distinctly—that while the public must be content to pay for average and ordinary service, distinguished and illustrious service in the Military Profession particularly ought to be made a subject of special reward. What is military service and military life?—but an affair for the most part requiring very ordinary exertion. The common routine of it does not call for great exertion, does not impose great anxieties and great risks, does not make any extraordinary demand upon the human faculties; and when you put a man in charge of the handling of a great body of troops, under the condition of modern warfare, when he has to concentrate them at a given spot, at a given time, and bring them into conflict with the enemy in such a way as to save human life amongst the troops to the greatest extent, then, I say, you do make upon the human faculties, perhaps, the very greatest exertion that they are ever called upon to bear; and I hold that, if anything deserves reward, it is exertion of this kind by Commanders charged with those great responsibilities on behalf of the Crown of this country. That is a ground upon which I wish principally to put the matter; but I must say that if I am only to look at it prudentially, and from a point of view of consequences, I am persuaded that it is wise and prudent to reward great Commanders for great services. I do not mean to say, for one moment, that any of our English Commanders would exert themselves any the more in the hope of reward; but I think that if the hope of reward can supply to them additional stimulus, it is very well that we should offer additional stimulus in times of great national crises. Let those who grudge these rewards consider what is the consequence of discouraging those great operations, and consider how hundreds and thousands of lives, how many millions of treasure, how the hope and reputation of the country are staked upon the just and manly exercise of the highest faculties of the mind on those great occasions, and what consequences would ensue from even the slightest miscalculation and error on the part of our great Commanders. I am satisfied, in point of policy and in point of principle, that I am only giving expression to the general sense of the House when I say that the principle of the proposal of this kind is a sound principle. It has already received the assent of an overwhelming majority of the House, and I am convinced that the subsequent stages of this measure will receive the support of the House generally.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gladstone.*)

MR. LABOUCHERE said, he was sorry to inflict any remarks upon hon. Members at that late hour of the night (12.10); but he did not make time, and it was not his fault that it was now so late. He confessed that the change that had been made in the Bill by the right hon. Gentleman the Prime Minister was an advantageous one. He thought that if they were to make these grants at all, they ought to be generous, and make the grants out of their own money, and not throw the burden of them upon posterity. Although, however, it was now proposed to pay the sum at once, Lord Wolseley had only to invest the £30,000 in the Funds in order to have a pension *in sæcula sæculorum.* He had no wish to go into the extraneous matters which had cropped up in this debate. He admitted that Lord Wolseley was not responsible for the war, and he admitted the noble Lord's capacity as a General. He had no doubt that if Lord Wolseley had to contend with an enemy "worthy of his steel" he would give a good account of himself; but where he (Mr. Labouchere) disagreed with the right hon. Gentleman the Prime Minister was in thinking that Lord Wolseley did "nothing" in Egypt which could be called an illustrious exploit. As a matter of fact, what did Lord Wolseley do? He went to Ismailia, and from there marched his men to Cairo. He took the straight road, and on the road he found a lot of miserable Arabs entrenched; he advanced, and the Arabs ran away. That was the whole history of the exploit in Egypt. Let him ask what they would have thought if Lord Wolseley had been defeated. They could not imagine any such contingency, and, therefore, he could not see why they ought to give him any special reward, because what had occurred was what they only anticipated. He did not see the right hon. Gentleman the Chancellor of the Exchequer in his place; had he done so, he would have asked the right hon. Gentleman to have supported him in the proposal, that the House do resolve itself into Committee upon that day three months. The other day, when someone was protesting against the large amount spent upon the armaments, the Chancellor of the Exchequer said, in effect—"You do not understand that you spend these large amounts as a species of insurance; when you have a full and efficient army you know that this army is able to vanquish an enemy in a very short time." And the right hon. Gentleman cited this very case of Egypt as an instance of what was the necessary consequence of our yearly expenditure of a very large sum in our armaments. Without going to any further length into what Lord Wolseley did out in Egypt, he would point out to the House that a new light had been thrown on the matter since this Bill was brought in. Since the introduction of the Bill they had received the Report of Lord Morley's Commission on the Hospitals. He did not want to go at any length into the medical question; but he would take Lord Wolseley himself as his principal authority why this money ought not to be granted to the noble and gallant Lord. Lord Wolseley had distinctly said that the mode in which the sick were treated in the hospitals in Egypt was most disgraceful. He (Mr. Labouchere) held Lord Wolseley responsible for that. Lord Wolseley admitted the fact, but chose to throw the responsibility on others. The right hon. Gentleman the Prime Minister rather put the matter on the ground that the campaign in Egypt was a political matter. [Mr. GLADSTONE: No; not political, prudential.] The right hon. Gentleman, then, said that they ought to make this grant for prudential reasons; that if they did not make it there might be a miscarriage, and a miscarriage would be something dreadful. He (Mr. Labouchere) could hardly suppose that any English General would say to himself—"I am not going to receive £30,000 if I win this battle, so I won't win it." He thought they might always count upon the *amour propre* of actuating our Generals; we might always count upon them winning, for the sake of their own honour, any engagement in which they were concerned if it were possible to do so. He had no doubt that Lord Wolseley did estimate far more than any money grant the glory of having gained a victory in Egypt. Therefore, if they were only to vote this money for prudential reasons, he thought they might save themselves £30,000. His objection, however, went to the whole root of these grants. He admitted there might be exceptional services, that there might be some great victory like that of Waterloo, or like some of the achievements of General Moltke, in which exception ought to be made. The right hon. Gentleman the Prime Minister, as he understood it, laid it down that the rule ought to be, that whenever an Expedition was successful a considerable grant ought to be made. That was the principle upon which he quite admitted Parliament had proceeded for a very considerable time. It proceeded on that principle with regard to Lord Wolseley himself in the case of the Ashantee War. What was the Ashantee War? He had no doubt that Lord Wolseley efficiently performed his duty; but it could not be supposed that because he gained a victory over savages armed with "flint-locks," it was proper that he should receive £25,000; and now, because he had slaughtered a few thousand Arabs, he should receive £30,000 at the present moment. He (Mr. Labouchere) ventured to contend that they had already very largely rewarded Lord Wolseley. He had been made a Peer, he had received a considerable number of decorations, and there had been a Vote of Thanks passed to Lord Wolseley in this House. There was a grant of £40,000 made to the Army, and of that he understood that £1,000 went to Lord Wolseley himself. It could not be said that Lord Wolseley had not been well rewarded for this Campaign; and it could not be said that he came to the House *in formâ pauperis*. He already occupied a position for which he received £2,700 per annum. In fact, he received the plums of the Profession, which, as a rule, were reserved for successful Generals. Lord Wolseley already held the best paid position in the Army, with the exception of the Commander-in-Chief. Besides that, when he was in command of the Army in Egypt, he received a trifle under £10 per diem and very large rations. Looking upon this as a monetary question, Lord Wolseley had been very well paid. The right hon. Gentleman the Prime Minister had told the House that they ought to give Lord Wolseley this money because he had been made a Peer. He (Mr. Labouchere) thought that this was an exceedingly dangerous doctrine. He confessed he himself did not know why Lord Wolseley's children and great grandchildren should legislate for this country; but, still, if they did establish the principle that these Peerages were to be granted, surely the country ought not to be called upon to vote at the same time a grant of £30,000, in order that the new Peer might properly sustain the peerage granted to him. He (Mr. Labouchere) was not a great admirer of the hereditary Chamber, and he thought he should find many persons to agree, that the sooner this hereditary Chamber came to an end the better it would be; especially if it was to be recruited at the cost of the country of £30,000 per head. He was somewhat surprised to hear the hon. Member for Newcastle (Mr. J. Cowen) say that it was mean and shabby to discuss this Bill at all, and that we ought to avoid the great evils of Democracy, corruption, and meanness. The hon. Gentleman cited America as an example; but he (Mr. Labouchere) thought that this was very unfair, because America had been lavishly generous with their soldiers. They dealt with their soldiers in a very different way from us. It was true that Grant, and Sherman, and Sheridan had received nothing; they would have considered it an insult had anything been offered to them. ["Oh, oh!"] Hon. Gentlemen did not seem to understand the feeling which actuated Democracies. He (Mr. Labouchere) re-asserted that those great American Generals would have considered it an insult had they been offered any reward, and that it would have gone against the feeling of the entire community in America if anything had been given to them. Let him remind the House of what America had done for her soldiers. Immediately after the war they voted 13 dollars per month to every man who was wounded, and who could not support himself; about a year ago, however, they increased the grant from 13 dollars per month to 30 dollars, and all the men who fought in the war had all the arrears paid up—that was to say, they had the difference paid to them between 13 and 30 dollars per month from the time they were wounded. It had been estimated that that would amount in the end to £80,000,000 sterling. It might be that our system of giving £30,000 to a General, and 3*s*. 6*d*. per week to men who had lost their legs and arms, was a good system. It might be that the American system was a bad one—namely, that of giving nothing to

Generals, and giving £80,000,000 sterling to soldiers; but he did not think they could fairly say that America had been stingy in the matter. Now, Lord Wolseley made a speech at the Mansion House, and it seemed an unfortunate thing that our Generals and Admirals were exceedingly fond of airing their eloquence before they received their money. Lord Wolseley, speaking of the officers, said they knew very well that honours in war meant promotion, and those things that were dear to mankind; but the hopes of the rank and file of the Army were different. Few honours and rewards were in store for them, and they were to content themselves with the most ennobling of all convictions—that of having done their duty. He (Mr. Labouchere) hardly thought that the officers of the Army would accept this view of the motive which actuated them. If officers fought for money and reward, the soldiers fought from a conviction that they ought to do their duty. It was not surprising that while they found many gentlemen ready to be officers, it was difficult to keep up the rank and file. He thought no more cogent reason against the system of rewarding Generals had ever been used than that contained in the words of Lord Wolseley himself. If it were stingy not to give to officers, let him ask whether they considered themselves stingy in not giving to statesmen? He believed there were only four pensions given to Ministers; and it must be remembered that two things were necessary in the case of pensions to statesmen. In the first place, an ex-Minister was not to be in receipt, at the time he received the pension, of any salary; whereas Lord Wolseley was now receiving £2,700 a-year. In the second place, it was necessary that an ex-statesman, when receiving a pension, should not have any means of his own adequate for his rank as an ex-Minister. Now, could anyone tell him what the difference was? Why was a soldier to receive this pension, and a statesman not? He did not want to draw invidious comparisons, but let them take the present Prime Minister and the present Leader of the Opposition, for instance. Surely, these right hon. Gentlemen had done as much for the country, they had served the country as well as Lord Wolseley, yet they were not to receive a pension. Literary men, for instance, received nothing from the country. If a literary man spent years and years in writing works of benefit for the country, and if his wife and children were without the means of support, what did they receive? From £100 to £150 per annum. The only ground for any difference was that there was precedent for the one, and there was no precedent for the other. He really did think that it was time that they should look at these matters upon their intrinsic merits. Were they who belonged to the Liberal Party, and who inscribed on their banner "Peace, Retrenchment, and Reform"—were they to vote £30,000 because they were told that sums of the like nature were voted under similar circumstances by their Predecessors? Precedent to him had a perfectly homely sound in finance, and when "precedent" was argued he always knew that something was about to be done for which there was no valid reason. Were there not precedents for sinecures; were there not precedents for perpetual pensions? They could find precedents for almost every abuse imaginable, and yet it was argued by the Prime Minister, as a reason for giving this money, that there were precedents for it. If there were a thousand precedents he (Mr. Labouchere) should consider it no argument. What was the idea upon which these military grants were based? Why, the idea was that there was something glorious in military pursuits—that there was more glory in killing than curing, and in curtailing and destroying human life than in lengthening and increasing it. The tendency of all this was to produce a military spirit—he did not mean the spirit which would induce everyone to defend his country if it were attacked, but that which dragged us into these foreign enterprizes, and made us plume ourselves that we were playing a great part before Heaven and earth, whilst what we were really doing was violating a foreign country, and destroying the peace and happiness of, perhaps, millions of people. The hon. Member for Berkshire (Mr. Walter) had told them the other day that he rejoiced at this war, and that it was a very good thing, because it re-established our *prestige*. [An hon. MEMBER: It did do so.] So that we were to kill any number of Egyptians and go on with these wars in order to "re-establish our *prestige*."

Well, his view of the matter was this—that, in the first place, we did not require to re-establish our *prestige;* and that, in the second place, we had not shown ourselves a great military nation by this Expedition to Egypt. He respected the soldier and he respected the officer; but he did not respect the Military Profession as in any way superior or in any way more ennobling than any other. When he saw a general coming back from Egypt, or some other officer riding through the streets surrounded by *aides-de-camp* and soldiers brandishing knives, he did not throw up his hat in the air and rejoice. We had far greater heroes at home. He believed the artizan and labourer who gallantly fought against want and penury, and vanquished them, did a far nobler thing than these military people. He hoped the right hon. Gentleman the Prime Minister would be kind enough to bear in mind in regard to these grants that almost all the Radical Clubs in the country had protested against them. Let the Government remember this—if they ignored Radical opinions and Radicals, for his own part he believed that they would have reason to rue it at the next General Election. He begged to move that the House resolve itself into Committee on that day three months.

DR. CAMERON said, that he seconded the opposition to the Bill, for the purpose of vindicating the Medical Department in Egypt against the charges which Lord Wolseley had, he (Dr. Cameron) thought, very ungenerously brought against it, and which had been sent forth to the world in all their nakedness, owing to the action of a Member of the Government in prematurely handing to one single newspaper a copy of the Report of the Morley Committee. So far as results were concerned, the Medical Department in Egypt could boast of results as brilliant in their way as those of Tel-el-Kebir, results secured by scientific knowledge and hard work. There had been bungling in the Medical Department, as in other Departments, but it alone had been harshly criticized. Lord Wolseley had himself severely criticized it. He (Dr. Cameron) did not say that the severity of Lord Wolseley's criticism on the shortcomings he denounced was unjustified; but he proposed to show that, for those shortcomings, Lord Wolseley alone was responsible, and his criticisms, therefore, reflected on himself alone. Lord Wolseley denounced the state of the hospitals at Ismailia and Cairo, and there was a chorus of complaint about the absence of medical equipments and requirements along the line of operations. Well, who was responsible for that? The *Carthage* was the principal hospital ship. She had 326 tons of hospital equipment on board, including three movable and two stationary hospitals. It would be remembered that the seizure of Ismailia with the change of base from Alexandria to that town was effected with the greatest secrecy. The change of base involved an entire change in the medical arrangements of the campaign; but the Surgeon General was never informed regarding it; he knew nothing about it, in fact, until he found himself in the Canal. He (Dr. Cameron) did not say that Lord Wolseley was not perfectly justified, on military considerations, in keeping his secret to himself; but, if he did so, he ought to bear the responsibility, and not attempt to throw it on other people's shoulders. Had he disclosed his intention to the Medical Department, or had he simply instructed the *Carthage* to be ordered to accompany the transports, she might have arrived with them at Ismailia on the 21st or 22nd. Instead of that, the Medical Department, being kept in entire ignorance of the change of base, the *Carthage* did not arrive at Ismailia until August 26th, and could not get her stores landed till the 27th and following days. Meanwhile, the empty palace had been handed over as a hospital to the Surgeon General on the 22nd; engagements had taken place on the 24th, 25th, and 28th; and the changes which the arrival of the *Carthage*, about that busy time, involved added to the work and confusion. Had she and the *Courland* arrived, as they might have done, in time; had Lord Wolseley but given a hint, there was evidence to show that there would have been no hitch whatever. But not only was the Surgeon General kept in ignorance of the intended change of base, but when the order for embarkation, issued at Alexandria on August 17, and involving an entire redistribution of the Medical Staff, was drawn up, he was never consulted about it. Had those orders been carried out, they would have upset the whole medical system, and they had to be abandoned. He was informed that the Commissary General also had been kept in ignorance of the proposed change of base to Ismailia. He did not know whether that officer had been consulted regarding the provisions concerning the Commissariat embodied in the Embarkation Orders of August 17; but, if not, he thought that the Army might be congratulated on having fared so well as it did, and that many of the faults laid at the door of the Commissariat might, with greater justice, be charged elsewhere. The mention of the Commissariat reminded him that Lord Wolseley repeatedly charged the Medical Staff with incapacity, with "lack of initiative," he called it, in not undertaking the work of the Commissariat Department, and purchasing against them in the local markets. Lord Wolseley had confessed, before Lord Morley's Committee, that he was ignorant of an Order which had been issued on the subject by the Minister for War no later than August 5, and which distinctly and peremptorily laid down the duties of medical officers in the matter. The Secretary of State for War (Mr. Childers) wrote as follows upon the subject:—

> "It is essential that, except in the case of petty office or departmental purchases (which may be made by heads of Departments), there should be but one purchasing Department in the local markets, and all articles required should be supplied by means of requisitions upon the Commissariat."

Had Lord Wolseley known of the existence of that Order, he would have known that it was his business not to find fault with the Medical Staff for adhering to it, but to insist on the Commissariat, on whom the Circular laid the responsibility, performing its own proper functions. Being ignorant of the Order, Lord Wolseley had omitted to perform what was really his own duty in the matter. Lord Wolseley found great fault with the system of evacuating the sick from Egypt, and cast the blame of it entirely upon the Medical Department. In answer to Question 6,212, he said—

> "I think that the Medical Department at this time were beginning to feel a little frightened at what had taken place. The hospitals were in such bad order that they got rid of the patients by putting them on board ship, and sending them to England. In many cases, men were sent off who would have been well in a few days."

Now, what were the facts? One of the earliest decisions arrived at, as to the medical plan of the campaign, was that Cyprus should be used for a base hospital. It was only 24 hours' sail from Egypt, and the design was that the less serious cases should be sent there to recover; and, when convalescent, rejoin their regiments. The original intention was that the hospital should be established on the high land at Troodos; but, on August 4, the Director General, the Surgeon General, and the Chief of the Staff, agreed that the hospital at Troodos should be given up, and a hospital established instead at Polymenia, near the port of disembarkation. The Minute on this subject was approved by the Secretary of State for War. In the proceedings of the Committee reference was made to another Order, sent out by the Secretary of State for War on August 9, that Cyprus should be abandoned altogether; that it should not be used or relied on for hospital purposes until October. Now, that Order was never communicated to the Surgeon General. He never heard of it till January last. He (Dr. Cameron) had asked a Question on the subject, but could get no information. The noble Marquess the present Minister for War (the Marquess of Hartington) referred him to the evidence before Lord Morley's Committee. He had looked there, and this was what he found. On August 30, the *Carthage* was at Ismailia, with 196 sick on board, ready to sail for Cyprus, when she was suddenly stopped by order of Lord Wolseley. Colonel Lord William Seymour, attached to the Naval Commander-in-Chief, had given some clear and impartial evidence, which explained what occurred. In reply to Question 1,638, Lord William Seymour said—

> "There was one thing which very much put out the whole medical arrangements, which was that the Surgeon General had sent away a ship almost empty—I think it was the *Orontes*—saying he had no further use for her, thinking that he could send the *Carthage* to Cyprus; but in the afternoon, he got an order that Cyprus was not to be used as a hospital. That threw 400 sick on his hands which he was not prepared for."

Again (Question 1,706), Lord William Seymour narrated a conversation which he had had with the Surgeon General on the occasion, in which that gentleman said—

"I have just been disappointed of the whole hospital at Cyprus; I have been told not to send any sick there. I wish now I had been able to send more away in the *Orontes*. Instead of the *Carthage* making a 24 hours' trip to Cyprus, she will probably have a much longer one to make to Malta."

This, be it remembered, was on August 30, at a moment when there had been three engagements within the six preceding days. Surgeon General Sir James Hanbury, in his evidence before the Commission, supplemented this evidence by an account of a conversation which he himself had had with Lord Wolseley on the following day, August 31. He told him that the Director General at home had instructed him to use Cyprus for slight cases—

"As a sort of stopgap to prevent too rapid evacuation to England"

—exactly the fault of which Lord Wolseley now complained. What Lord Wolseley then said, according to the Surgeon General, was this—

"Dr. Crawford does not know Cyprus as well as I do. It is much more unhealthy than this, and I believe the best way is to send the sick to England."

And yet, in the face of that statement, Lord Wolseley now came forward and accused the Department of having become frightened at what had occurred, and of shipping the sick to England in order to get them off their own hands. To say the least of it, they should have some explanation of this very irreconcilable evidence. But the vacillation regarding Cyprus did not end with the stoppage of the *Carthage* on August 30. After further communication with Cyprus, the Chief of the Staff, on September 4, gave the Order—"Sick may be sent to Cyprus." On September 6, 72 sick were there, and, on September 13, 300 were shipped and ready to start, when, owing to the decisive result of Tel-el-Kebir, their destination was altered, and they were sent home. As the result of this shilly-shallying, the hospital was locked up at Cyprus when most needed in Egypt, and did not arrive at Alexandria until September 30. There was some further delay in getting it on to Cairo. Hence the unfurnished state of the Cairo hospital, of which Lord Wolseley complained. Now, had the hospital at Cyprus been used, as originally intended, it would have been invaluable. Had the Surgeon General been informed that it was not to be used, it would have been his duty to bring its Staff and equipment to Egypt, where extra accommodation was much required. But he was neither allowed to use Cyprus, nor told that he was not to be allowed to rely on it, as arranged, until the first batch of sick were on board ship on their way thither. Even then, he was not told that the Cyprus hospital had been abandoned, and that he was free to utilize it elsewhere; but he was kept in suspense till the end of the war, and the services of the Cyprus establishment was thus lost during the entire campaign. Three times after Tel-el-Kebir—on September 16, 24, and 30—Lord Wolseley had written or telegraphed home, to the effect that the Medical Department was "everything that could be desired," that "it reflected the greatest credit on the Surgeon General," and that "it was working to his entire satisfaction;" and then he had come before Lord Morley's Committee, and said that he "never saw a properly-equipped field-hospital during the war;" that—

"Medical officers constantly held others responsible for failing to do what he considers should have been their own principal duties"

—purchasing against the Commissariat, to wit—and that he

"Supposes the base-hospital was never brought from Cyprus to provide accommodation at Ismailia, because the principal medical officer never thought of it at the time, or never brought the subject forward."

The Chief of the Staff, Sir John Adye, in his evidence, had not only given a much more favourable account of the actual state of things in the military hospitals; but he had frankly told the Committee that, from the nature of the campaign, military considerations, supreme above everything else, had compelled troops to be sent forward to Kassassin in advance of supplies, in advance even of ammunition, and, of course, in advance of medical appliances and comforts. Had Lord Wolseley impressed this fact upon the Committee, and accepted the responsibility that properly devolved on him, not a word could have been said. But what he (Dr. Cameron) complained of was that, for a state of things entirely the result of his own arbitrary action, he had chosen to cast the blame upon the Medical Department of the Army. Lord Wolseley found fault with the Medical Staff for not "taking the initiative," and undertaking the work of another Department. After the experience they had had of his Lordship's baneful fondness for taking the initiative, and undertaking the management of the Medical Department, of which he knew nothing, but whose responsible heads he never appeared to think it worth while to consult, it seemed to him (Dr. Cameron) a matter of congratulation that one class of officers, at least, among those serving under him, had been found who were content to devote themselves strictly to their own duties. To that it was to be attributed that, despite all that Lord Wolseley had done to mar their efficiency, they had been able to bring the European forces through this arduous and trying campaign, in an unhealthy climate, with a total death-rate, per 1,000 per annum, including deaths in battle, from sickness and from wounds, exceeding by a mere fraction that which normally prevailed in the civil population of this Metropolis. To this, it was to be attributed that they had been able entirely to ward off pyæmia, to deprive ophthalmia of its terror, and to deal with the wounded after Tel-el-Kebir, with a promptitude and efficiency characterized by the Committee as unparalleled in military history. Lord Wolseley had talked a great deal about initiative; but he (Dr. Cameron) considered that he would have displayed a much sounder and wiser initiative, as well as much more intelligent solicitude for the well-being of the sick and wounded, if he had instructed the Surgeon General to order the *Carthage* to accompany the transports to Ismailia, and, acquainting him with his views regarding Cyprus, had left him to utilize its hospital appliances elsewhere, than he displayed in acting as he had done—leaving the Medical Department in ignorance of his intentions and decisions; arbitrarily overturning its most fundamental arrangements; writing home that all was well, "false and malicious reports to the contrary notwithstanding;" and then coming home and coolly casting on the shoulders of the Medical Department the entire responsibility for shortcomings directly the outcome of his own peculiar mode of conducting the medical business of a campaign.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Labouchere,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GIBSON said, he should like to make one or two very short observations in consequence of what had fallen from the hon. Member for Glasgow (Dr. Cameron). Everyone must be aware of the great interest the hon. Member had taken in the particular subject he had brought under the notice of the House, and the right he had to speak on this subject with authority. He (Mr. Gibson) himself took considerable interest in the matter from the point of view from which the hon. Member had approached the question, and should himself be prepared to vindicate and assert the position of the Medical Service and those who were responsible for it at a more convenient time, when the discussion which would take place could be reported in a manner that was essential for the proper understanding of the case and the due vindication of this great Service. He had read with all the care he could the charges which had been made against the Medical Service in Egypt. He had read very closely the evidence of Lord Wolseley and of the distinguished Medical Officers who were responsible for the Medical Service, and his opinion was that the charges against the Medical Service could be placed in the point of view indicated by the hon. Member for Glasgow, and that they could be thoroughly investigated and placed before the public opinion of the country in a fair and favourable light. At the proper time he should himself be prepared to call attention to these charges and to refute them to the best of his ability, and, if he might presume to say so without offence, to challenge all those who held a contrary opinion to repeat these charges in the face of day, and express their belief in them. When his challenge was put forward he would undertake to say that there would be very few who, on their responsibility, would be found to get up and defend the charges which had been made against the Medical Department, It was another thing to consider how far these charges should imperil the defeat of the Grant now proposed to be given to the General who had accomplished his military duties so successfully. He was simply asserting his own views. He yielded to none in his desire to defend the position of the Medical Profession; but he believed, also, he spoke with the approval and sanction of the Medical Profession. Only to-day he had spoken with some of the most eminent medical officers who had served in Egypt, and they had expressed a hope that the vindication of their position should not in any degree be used to imperil any grant to the illustrious General who had so successfully carried out the campaign. It would be found, he believed, that Lord Wolseley, in his despatches from the seat of war, which had been referred to by his hon. Friend (Dr. Cameron), had throughout expressed a desire that the Medical Service should have its full share of justice—that it should be denied no reward and no advantage that would be offered by the country, and in no case had he referred in his despatches in ungenerous, unworthy, or disparaging terms to those responsible for the medical conduct of the war. It would be found that these medical officers had received their share of reward for their services in the East. The true reading of Lord Wolseley's evidence, he thought, would be found in those four or five passages where he stated that he was giving his evidence because he was summoned there before the Committee, which had to consider not so much the Egyptian War as the methods which were to be adopted, of an improved and altered character, in future campaigns. Lord Wolseley stated —he (Mr. Gibson) had the documents with him, but would not trouble the House with them now—that he was not making charges against individuals, but simply stating wherein he thought the existing system had failed. That, he thought, was the view Lord Wolseley had intended to present to the Committee, and he could readily make a distinction between the time Lord Wolseley was writing despatches about the conduct of individuals and the way in which the sick were treated, and the time when, before the Committee, he was indicating that it might be desirable to have a new and improved system. He would only refer to two questions put to Lord Wolseley—there were four or five on this point, but he would only refer to two—namely, numbers 6,164 and 6,176. In reply to the first, Lord Wolseley said —"It was the system that was bad;" and, in answer to the second, he said—

> "I think I never came across a medical officer during the whole campaign that really did not work, according to his lights, as hard as any man in the whole Army. It is the system I find fault with. I do not for one moment wish to say that the officers were not good."

He did not concur in all the statements that Lord Wolseley had made before Lord Morley's Committee in reference to the Medical Department of the Army; but he trusted that the evidence given before that Committee, and the opposite views held with regard to that evidence, would not in the slightest degree interfere with the reward to be given by this House at the rate measured by the Government to the distinguished Commander to whom the House had recently awarded its Thanks.

Colonel O'BEIRNE said, he thought that when Lord Wolseley received the Thanks of Parliament the incidents of this campaign were not well known to the House; nor did the House know the character of the enemy he had to encounter, who were simply a rabble, who did not understand the use of their arms. He objected to placing Lord Wolseley, by means of this reward, on a level with Viscount Gough, Lord Hardinge, and other distinguished Generals. Lord Wolseley had a salary of £2,700 as Adjutant General at the Horse Guards, and he thought that ought to be taken into account, and also because that was almost a permanent appointment, as when once an officer got on to the Staff he was very rarely removed. The five years' rule was theoretically supposed to apply, but in reality it did not. The Prime Minister had said, with regard to Tel-el-Kebir, that Lord Wolseley deserved the highest thanks for having captured that without loss of life; but he could not see much strategy in manœuvring an Army against troops who did not know how to fight. He simply executed a movement during the night in imitation of the Russians at Plevna; there was nothing very brilliant in that manœuvre, and he thought it was amply acknowledged by the Thanks of the House.

The Marquess of HARTINGTON: I think the House will not desire that I should follow at any length the hon. Member for Northampton (Mr. Labouchere) who has moved this Amendment to the Motion. The hon. Member devoted the greater part of his speech to the views he entertained of the principle of rewarding such services as these by pensions or pecuniary grants. That is a subject which the House has discussed on several occasions, and upon which it was shown by very large majorities unmistakable opinions. On the second reading of this Bill we discussed the principle of the proposed annuity, and I think there can be no doubt that the House, having fully considered all the arguments advanced by my hon. Friend, is of opinion that it is not desirable, and in this instance it would not be generous, to withhold from Lord Wolseley a reward of the same nature as has been conferred upon his distinguished predecessors under similar circumstances. The hon. Member says the operations in Egypt were of a simple character, and are not worthy of such a reward as it is proposed to give to Lord Wolseley. It is very easy now to talk lightly of the diffiulties of the campaign. We have never professed that the Egyptian Army was a very formidable foe; but I venture to think that the skill and forethought required in these operations were of no inconsiderable order. These operations were conducted 3,000 miles from home; Lord Wolseley had to organize not only a considerable force of men, but also the transport of supplies, and in a country which presented serious difficulties. He had to march not along a straight road, but along a route which was in great part a desert. There were difficulties of considerable magnitude to be contended with in these operations; but the operations were so well accomplished, and with so small a loss of life, that they redounded greatly to the credit of the Officer who commanded the expedition and conducted the organization of both men and supplies, as well as to the credit of the officers and men. The hon. Member has depreciated the importance of the victory of Tel-el-Kebir; but I cannot help thinking that it would have been considered of greater importance by my hon. Friend, and more worthy of reward, if it had been attended by greater loss of life. I do not think it is possible to underrate the importance which the House ought to attach to the skill of the General who accomplished his object with the least possible loss of life. I hope the House will not be inclined to accept the views of the hon. Gentleman. It seems to me equally undesirable that we should on this occasion enter into any minute or elaborate discussion of the details brought before us by the hon. Member for Glasgow (Dr. Cameron). It is, I think, altogether not only inconvenient, but out of order, to enter into any minute examination of the Report of Lord Morley's Committee, or of the evidence upon which that Report was founded. It is, of course, open to the hon. Member, and to other hon. Members, to discuss that Report as bearing on the conduct of Lord Wolseley in this campaign; but I venture to think that that would be not only an irregular, but a very inconvenient course. In the first place, I do not think it would be a very dignified course; and then I do not think this is the most convenient opportunity for discussing the particular orders on particular dispositions made by the Commander-in-Chief of the campaign. What the House has to consider is whether, on the whole, the plan of the campaign was a good one, and whether, on the whole, it was ably and successfully carried out. I do not suppose that either in that campaign or in other campaigns there was a total absence of faults or errors; and I do not say that it is not perfectly competent to the House, on a fitting opportunity, to call attention to those errors; but surely, when the House has decided, as it did on the second reading of these Bills, and on a previous occasion when it granted its Thanks, this is not the most convenient and the most dignified opportunity to go into a minute examination of the orders given during the campaign. The right hon. and learned Gentleman who has just sat down (Mr. Gibson) has also pointed out, with great force, and with great truth, that this Report of Lord Morley's Committee does not give to the House anything approaching the full means for a complete and exhaustive criticism of the conduct of the General. The right hon. and learned Gentleman has stated, with perfect accuracy, that this was not an inquiry into the conduct of the General commanding, or of any individual concerned.

It was an inquiry with a much more practical object. It was in continuation of an inquiry already proceeding into the organization and management of the Army Hospital Corps. It took its rise in certain defects which were discovered in the South African Campaign, and in an inquiry into the organization of the Army Hospital Service. Incidentally, the conduct of Lord Wolseley and individual officers may have been considered by the Committee; but the inquiry was not an inquiry into the conduct of any particular individuals, or set of individuals, but into the defects of our existing organization, and the manner in which that organization could be improved. Therefore, this inquiry was not conducted in such a manner as to enable the House to form a complete judgment on the conduct of any particular individual. Lord Wolseley was examined comparatively early. Some of the evidence was taken subsequently, and he has not had any opportunity to reply to it. He is not in this country at present, and neither I nor anyone else has been able to consult him; and surely it would not be fair to condemn him, and would be scarcely desirable to criticize his conduct, when he is absent from the country, and when it is impossible to tell what is the answer he would desire to make to the charges brought against him. The evidence Lord Wolseley has himself given is a point into which I do not intend to go at this moment. I shall be quite ready, when we have an opportunity, to discuss this Report generally; but it seems to me perfectly unnecessary to go into that now. Whether the evidence of Lord Wolseley was well-founded or judicious or not in all respects is not now the question. The House of Commons is not going to refuse Lord Wolseley a grant of money in recognition of his services because it may think his evidence before this Committee was not all it might have been. I am perfectly aware that Lord Wolseley stated that he did not condemn individuals; but, at the same time, I cannot conceal from myself that some of his evidence was of a character that did reflect, and was felt to reflect, on the conduct and ability of some of the Departmental officers; and I cannot help thinking that if Lord Wolseley had reflected more carefully on the great and exceptional difficulties under which, to a certain extent, they laboured, he would have given that evidence in a somewhat different manner; but, certainly, that evidence, given in London, is not going to be made, at this time of day, a reason for withholding a recognition of his services in Egypt. There are only two other points as to his conduct upon which it is just necessary to say a word. The hon. Member for Glasgow (Dr. Cameron) said that Lord Wolseley kept the medical officers in ignorance of his intended movements, and thereby prevented them from making the necessary and proper preparations. In the absence of Lord Wolseley it is impossible for anyone to say how great was the necessity for that absolute secrecy which, no doubt, he preserved, and successfully preserved. It is possible that the arrangements of the medical and other officers might have been, to a certain extent, impeded and embarrassed by the secrecy he observed; but, on the other hand, it is impossible to say how great may have been the advantages which that secrecy secured, and how great might not have been the loss of life if that secrecy had not been maintained. It is scarcely for us to criticize the conduct of the campaign, and to say that Lord Wolseley was not fully justified in any measures he took, although, perhaps, at the expense, to some extent, of the Departmental arrangements. Then Lord Wolseley is attacked for having unnecessarily interfered with the arrangements made by the medical officers. I do not think that the evidence bears out that charge. The evidence which has been referred to by the hon. Member for Glasgow shows that, on the 24th August, the principal medical officer inquired as to the transport available for the men who were not likely to be able to return. He was informed what the arrangements were, and acknowledged that they were perfectly satisfactory. He was told by the Chief of the Staff to communicate directly with the Governor of Cyprus, and orders were given that the sick men should be sent to Cyprus, and 72 sick men were sent there. Ten days later 300 more were ordered to be sent to Cyprus. In the meantime, the engagement at Tel-el-Kebir had taken place; the campaign was at an end, and the officer in charge of the sick took upon himself, perfectly justifiably, to send the men to Malta, and so home, instead of to Cyprus. [Dr. CAMERON: What about the stoppage of the *Carthage?*] No doubt Lord Wolseley, who had personal knowledge of Cyprus, was of opinion that it was not desirable to send the men to a hospital on the sea-shore at Cyprus until later; but the stoppage of the *Carthage* did not prevent the sick men being sent to Cyprus, and arrangements being made for 300 more being sent. The *Carthage* was available at Ismailia; and I do not understand that these arrangements were seriously interfered with by the orders of Lord Wolseley. I think, therefore, it would be far more convenient that these details of Lord Wolseley's complaints of the Medical Department should be discusssd as a whole, and not on this occasion. I think I have shown that the evidence, so far as I have been able to read it, shows that the medical officers are not open to the blame cast upon them by some hon. Members and by some organs of the Press. I think it will be possible to show that, considering the difficulties of the situation, the arrangements were not only, on the whole, good, but were most certainly successful. I deny entirely that any evidence has been brought forward which should, in the slightest degree, prevent the House from ratifying the Thanks already given to Lord Wolseley, or in the slightest degree cause them to reverse the decision to which they came on the second reading to reward the services of Lord Wolseley by a pecuniary grant.

Question put.

The House *divided*:—Ayes 166; Noes 28: Majority 138.—(Div. List, No. 129.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Grant of £30,000 to Baron Wolseley).

MR. LABOUCHERE said, notwithstanding the decision which the House had arrived at, there were many Gentlemen present who were anxious to divide on the Amendment he proposed to move—namely, to leave out the words "thirty thousand pounds," in order to insert "twelve thousand five hundred pounds." Upon that Amendment he was afraid he must put the Committee to the trouble of dividing. They had listened, in the course of the evening, to a great many reasons against these grants; but he would trouble the Committee with one only. He wished to make no comparison between Sir Frederick Roberts and Lord Wolseley; but would remark that the sum of £12,500—the amount to which he proposed to reduce the present Grant—was awarded to Sir Frederick Roberts. He presumed that the explanation of the increase asked for in the case of Lord Wolseley was that each Ministry preferred its own campaigns to those of other Ministries, and accordingly they showed their preference by giving larger sums to their own Generals. Unless this practice were put a stop to, they would probably have the Conservative Party, when they came into Office, proposing grants of £50,000 to their Generals. For that reason, he begged to move the Amendment of which he had given Notice.

Amendment proposed,

In page 1, line 13, to leave out the words "thirty thousand pounds," and insert the words "twelve thousand five hundred pounds,"—(*Mr. Labouchere,*)

—instead thereof.

Question proposed, "That the words 'thirty thousand pounds' stand part of the Clause."

MR. ASHMEAD-BARTLETT said, he should be very much disposed to vote for the Amendment of the hon. Member for Northampton, if he could possibly find it in his heart to oppose any grant in connection with the Army at the present time. The real danger now was that the Army would be underpaid rather than overpaid. But while he felt strongly that justice should be done to Lord Wolseley, he felt, also, that it should be done in the case of Sir Frederick Roberts, whose brilliant services had certainly met with insufficient reward, if these grants to Lord Wolseley and Lord Alcester were not excessive. He rose in order to call attention to some observations made on a former stage of this Bill by the noble Marquess the Secretary of State for War. At that time he had ventured to point out that the difficulties encountered by Sir Frederick Roberts's Afghan Campaign, and especially in the really great march to Candahar, were greater than those experienced in the

Egyptian Campaign. To this the noble Marquess replied that the Government could not have proposed a larger Vote to Sir Frederick Roberts, because in that case they would have been obliged to propose a larger Vote to Sir Donald Stewart. The Committee would see that that was no reason at all, for it would have been just as easy to propose Votes to both Sir Frederick Roberts and Sir Donald Stewart as it was now to propose them for Lord Wolseley and Lord Alcester. The noble Marquess stated, also, that Sir Donald Stewart deserved as much credit for his march from Cabul to Candahar as Sir Frederick Roberts; that it was carried out under Sir Donald Stewart's directions, and that he had given the flower of his army for that purpose. The noble Marquess was painfully inaccurate. The fact was that the march was first proposed by Sir Frederick Haines, Commander-in-Chief in India, who received no reward whatever. It was telegraphed to Sir Donald Stewart that the march would be undertaken; but Sir Donald Stewart vigorously opposed it, and declined to carry it out himself. It was only after peremptory orders from the Viceroy that Sir Donald Stewart consented to let Sir Frederick Roberts undertake that most brilliant and well-conducted march of 350 miles through a most difficult and hostile country.

THE CHAIRMAN said, he must call the attention of the hon. Member to the fact that he was not confining his observations to the Question before the Committee.

MR. ASHMEAD-BARTLETT said, he would not dispute the ruling of the Chairman, but would remark that on a precisely similar occasion the noble Marquess had been allowed to go into the whole case. He challenged the noble Marquess to deny the facts he had just stated as to Sir Donald Stewart and the march to Candahar. The connection he wished to establish was that the grant to Sir Frederick Roberts was disproportionate to the amount of the grant now proposed for Lord Wolseley, and that the arguments of the noble Marquess were inadequate to prove that it was otherwise. As he had already said, he was unable to vote for the Amendment of the hon. Member for Northampton; but he felt that if simple justice was to be done in the present case, the Government ought to move a larger Vote to the heroes of the Afghan Campaign—that was to say, to Sir Frederick Roberts, Sir Donald Stewart, and Sir Frederick Haines, who had overcome far greater difficulties than those of the Egyptian Campaign. If there had been any delay in the settlement of this question it was entirely due to the mismanagement of the Government, who, by changing the forms of these rewards from a pension to a lump sum, had caused two debates instead of one. The Prime Minister had practically admitted that when the Government first considered the question of these grants, they had not given to the subject the full amount of consideration which it required.

THE MARQUESS OF HARTINGTON said, he regretted that the hon. Member for Eye had not been able to continue his speech on the subject of the Afghan Campaign, because that portion of it which he heard contained some very extraordinary statements, and he was extremely anxious to hear all that the hon. Member had to say. He was also very anxious that it should be understood that he had never desired, in the slightest degree, to depreciate the immense services of Sir Frederick Roberts, or the immense difficulties with which both he and Sir Donald Stewart had to contend. He had simply pointed out, on the occasion referred to by the hon. Member, that the Government were unable to confer upon an officer who was not in chief command of the Army a greater reward than was conferred upon one who was actually in chief command.

Question put.

The Committee *divided*:—Ayes 143; Noes 25: Majority 118.—(Div. List, No. 130.)

Clause 2 (Short title) *agreed to.*

Bill *reported*, without Amendment; to be read the third time upon *Thursday.*

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL.—[BILL 130.]

(*Mr. Trevelyan.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Wilfrid Lawson.*)

MR. CALLAN said, the right hon. Gentleman the Chief Secretary for Ireland informed the Irish Members at the commencement of the Sitting that the Bill would not be taken to-night. He (Mr. Callan) was sure the Government would not allow the Bill to proceed at the suggestion of the eccentric Member for Carlisle (Sir Wilfrid Lawson).

Sir WILFRID LAWSON said, he was not aware that the right hon. Gentleman the Chief Secretary for Ireland made any public statement in the House to the effect stated.

Mr. CALLAN said, he might remind the House that the Bill substantially was blocked.

Sir WILFRID LAWSON said, the Bill was not blocked on the Paper.

Mr. SPEAKER: The Order of the Day is open.

Mr. CALLAN asked, as a matter of Order, if the hon. Baronet the Member for Carlisle was in Order in moving the second reading of this Bill, it being a Government Bill in the charge of a Member of the Government?

Mr. SPEAKER: Any Member of the House may move an Order of the Day, and to this Order of the Day no block attaches.

Mr. O'SULLIVAN said, that this was a Bill which confiscated a large amount of property; and, therefore, it seemed to him a most unreasonable thing that it should be brought in for discussion after 2 o'clock in the morning. He hoped the House would not be so unreasonable as to make such sweeping changes which the Bill proposed under such disadvantageous circumstances. The Bill did not affect his constituents at all; but he thought that the Bill was so large a one, and that the interests involved were so great, that it would be a hard thing, and a wrong thing, to pass, at that time of the morning, and especially when the right hon. Gentleman the Chief Secretary for Ireland, who was supposed to have charge of the Bill, on behalf of the Government, was not here to conduct the Bill. Nothing had been said in favour of passing the Bill in such a hurry.

Mr. KENNY said, that as a matter of Order, he should like to ask if it was not a fact that the Chief Secretary for Ireland gave hon. Members an assurance that the Bill would not be proceeded with to-night?

Mr. SPEAKER: The hon. Member appeals to me on a point of Order. It is not a point of Order at all.

Mr. ONSLOW said, he was sure that the noble Lord the Secretary of State for War (the Marquess of Hartington) did not wish this Bill to come on at that time of the morning. The right hon. Gentleman the Chief Secretary for Ireland had been waited upon by deputation after deputation on this matter, and he was not here at the present time. Surely, they were not expected to pass a Bill of this importance when the Chief Secretary for Ireland was absent. He (Mr. Onslow) believed it was quite an accident that the Bill was not blocked on this occasion. The noble Lord the Secretary of State for War, he was fully persuaded, would agree with him that this was not the proper time at which to take a Bill of this character. He therefore begged to move that the debate be now adjourned.

Mr. WARTON seconded the Motion. The information was distinctly conveyed to him by the hon. Gentleman the Member for Louth (Mr. Callan) that the Chief Secretary to the Lord Lieutenant had said that the Bill would not be brought in to-night. He (Mr. Warton) was relying upon that promise, and when he saw the finger of the clock standing after 2 o'clock, he never thought that the promoters of the Bill would have the audacity to press the Bill. If Bills were to be pressed forward at such unreasonable hours, it would be necessary to block every Bill that was proposed. It was perfectly intolerable that hon. Gentlemen, many of whom had spent the afternoon on a Grand Committee, should be expected to be in attendance upon the House at that time of the morning. Of course he knew perfectly well the Government wished to kill hon. Members; the Prime Minister had made himself quite unwell, and so had two or three other Members of the Cabinet with the hard labour they were undergoing. Hon. Gentleman must bear the strain as long as they could. But to call upon them to do so was not a thing which would make the Government respected. He had sent away the friends who usually assisted him in such matters. What was now being done only showed what tactics the Government and the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), in his intemperate advocacy of temperance, would resort to in order to carry their point.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Onslow.*)

THE MARQUESS OF HARTINGTON said, he was sure the Government were indebted to the hon. and learned Gentleman the Member for Bridport (Mr. Warton) for the great anxiety he had displayed in regard to the state of their health. They, however, would be quite willing to sit up a little longer, if the House were disposed to do so. But, considering the statement that was said to be made by his right hon. Friend the Chief Secretary for Ireland that evening, and the assurance which he was said to have given, he (the Marquess of Hartington) could not oppose the Motion for the Adjournment of the Debate. There were sometimes misunderstandings of this kind, and it was extremely inconvenient that if an undertaking was given, it was not given to the House itself. He believed, however, the question was not put to his right hon. Friend the Chief Secretary for Ireland, in consequence of the debate raised by the Leader of the Opposition upon the Motion for the Adjournment of the House. He should not oppose the Motion, but he trusted hon. Members would not immediately place a block against the Bill. He thought his right hon. Friend the Chief Secretary for Ireland would give an undertaking not to bring the Bill on at any unreasonable hour of the night; and, therefore, he trusted that hon. Gentlemen would not take the opportunity which an adjournment would now afford of blocking the Bill.

MR. ONSLOW said, that he was not prepared to make any conditions whatever. He should most certainly block the Bill, and oppose it in every possible way. He should oppose the Bill, and he should oppose every liquor Bill introduced into the House, unless ample opportunities were given for its full discussion.

MR. CALLAN said, he had asked the right hon. Gentleman the Chief Secretary for Ireland if he intended to proceed with the Bill. The right hon. Gentlemen said "No." He then asked the right hon. Gentleman if he (Mr. Callan) was at liberty to so inform his Friends, and the reply was, "Certainly; I have said I do not intend to proceed with the Bill." He might remind the House that the debate on the Motion for the adjournment came suddenly to an end, otherwise he had intended to be in his place at the conclusion of the discussion, and to have asked the question of the right hon. Gentleman publicly.

SIR WILFRID LAWSON said, that, after the very liberal offer the noble Marquess had made to hon. Gentlemen opposite had been repudiated by them, they could not do anything else but divide upon that Motion.

MR. CHAMBERLAIN said, he hoped his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) would not put the House to the trouble of a Division. The Government would be willing to go on with the debate if it were not for the pledge which the right hon. Gentleman the Chief Secretary, had given. After the statement which had been made, it would be impossible for the Government to proceed with the Bill.

MR. J. N. RICHARDSON asked if the right hon. Gentleman made a public pledge?

MR. CHAMBERLAIN said, the right hon. Gentleman did not, but the Government understood that he had given it privately.

Motion *agreed to.*

Debate *adjourned* till *To-morrow,* at Two of the clock.

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 12*th June,* 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Lunatic Poor (Ireland) * (85); Colonial Prisoners Removal * (86); Consolidated Fund (No. 3) *; Local Government Provisional Order (No. 2) * (87); Indian Marine * (88).

Second Reading — Stolen Goods (78); Sea Fisheries (83).

Committee — Municipal Corporations (Unreformed) * (59).

Committee — Report—Cathedral Statutes * (58); Lands Clauses (Umpire) * (71).

Third Reading—Pier and Harbour (Provisional Orders) * (68); Representative Peers (Scotland) (84), and *passed.*

STOLEN GOODS BILL.

(*The Lord Chancellor.*)

(NO. 78.) SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

THE MARQUESS OF SALISBURY said, he hoped the noble and learned Earl would allow the Bill next in order (the Pawnbrokers Bill) to stand over for a while. The trade stated that they had been taken a good deal by surprise by some of the provisions, which seemed very severe, and they asked that more time might be given for consideration.

THE LORD CHANCELLOR said, that, in reply to requests which had been made to him, he had expressed his willingness to postpone the Bill for nearly a fortnight. In the Bill now before the House all the clauses which had special reference to the pawnbrokers were omitted. With some other exceptions, which he explained, the Stolen Goods Bill was the same that was introduced last year; and having made that explanation, he hoped the House would allow the Bill to be read a second time.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 21*st instant.*

SEA FISHERIES BILL.

(*The Lord Sudeley.*)

(NO. 83.) SECOND READING.

Order of the Day for the Second Reading read.

LORD SUDELEY, in moving that the Bill be now read a second time, said: The object of this Bill, which is of importance, is to give effect—so far as statutory enactment is necessary—to the provisions of an International Convention, which has been agreed upon between this country, Belgium, Denmark, France, North Germany, and the Netherlands, for the proper regulation of the Police of the Fisheries in the North Sea, outside the territorial waters. The great increase during the last 20 years of the sea-fishing industry in this and other countries—especially as regards the method of fishing known as trawling—has caused fishermen to pursue their operations more and more at a distance from the shores of their respective countries. In consequence, the fishermen of countries bordering on the North Sea have been meeting one another with increasing frequency on the favourite fishing grounds in the seas between England, and Belgium, and Holland, and off the Dogger Bank. The constant encounter of fishermen belonging to various nationalities—who often could not understand each others' language, and who carried on their fishery in different ways, and with different implements—gave rise to misunderstandings, disputes, and the infliction of injuries by one class of fishermen upon those of another. This was especially the case where drift-net fishing and trawling were carried on upon the same grounds. A long trail of drift-nets—extending, perhaps, for a length of two miles or more, and floating near the surface of the water—may be easily damaged, and, to a great extent, detroyed, by a trawler sailing or steaming into them. On the other hand, the trawlers' operations will be arrested if his gear becomes entangled in the drifters' nets. This state of things was aggravated by the use, by some trawlers, of an instrument commonly called the "devil," which is an instrument with a shank and sharpened flukes, hung overboard, and intended for the sole use of cutting fishing nets which the boat comes across at sea, and which impedes its progress. Of late years, it was represented by the British drifters that the treatment which they met with at the hands of foreign trawlers had become intolerable, and it transpired that the misunderstandings between foreign fishermen and our own were giving rise to conflicts, in which the stones, carried by the boats as ballast, were used as missiles, and firearms were, on occasions, resorted to. In the year 1880 Her Majesty's Government appointed a Special Commissioner to inquire into the matter, and an investigation was made at several of the fishing ports into the outrages committed by foreign and British fishermen. In the following year, the Report of this inquiry was published, which left no room for doubt that a number of illegal acts had been committed during recent years, to the prejudice of British fishermen. Complaints as to the lawlessness of British fishermen had also been made. from time to time, to Her Majesty's Government by the Governments of other countries. This Report was communicated by the Foreign Office to the foreign Governments concerned, with an invitation to co-operate, by means of a Conference or otherwise, with a view of devising remedial measures. In consequence of this invitation an International Conference, to which all the Powers whose coasts bordered on the North Sea sent Representatives, assembled at the Hague during October, 1881, with the object of bringing about an International agreement. The deliberations of that Conference resulted in a unanimous recommendation of a draft Convention for regulating the police of the fisheries in the North Sea. This draft was, with slight modifications, accepted by all the countries concerned, except Norway and Sweden; and the Convention was signed at the Hague in May of last year by the Plenipotentiaries of Great Britain, Belgium, Denmark, France, Germany, and the Netherlands. The Convention in question is scheduled to the present Bill. It provides simple and intelligible rules as regards the marking fishing vessels, with a view to easy identification, and as regards the measures to be observed by fishermen in order to avoid doing injury to each other, and it absolutely prohibits the use of any such instrument as the so-called "devil." It further contemplates the imposition of penalties for infractions of these rules, and provides for the superintendence of the fisheries by cruisers of the countries parties to the arrangement. By Article 35 of the Convention the high contracting parties agreed to propose to their respective Legislatures the measures necessary for insuring the execution of the Convention by imposing penalties and otherwise, and it is in fulfilment of this engagement that the Bill is now introduced by Her Majesty's Government. The Bill, if passed, would take effect from a day to be fixed for the purpose after the ratifications of the Convention have been exchanged. The provisions of the Convention are so far obviously for the benefit of the fishing industry at large that it seems unnecessary to offer any detailed observations upon them; but it may be mentioned that the rules are, in many respects, similar to rules which, for many years past, have been adopted in pursuance of Treaty arrangements between this country and France with regard chiefly to fisheries in the English Channel. The provisions of the present Bill are, in the main, similar to those provisions of the Sea Fisheries Act, 1868, by which it was sought to give effect to the French Fisheries Convention of 1867. There exists another source of complaint, which it was hoped would have been dealt with under the Convention—namely, the regulation of the floating grog-shops. These boats were described by the Commissioners, in 1880, as being "Coopers," "bumboats," or "floating grog-shops," of the worst possible description, uncontrolled and unregulated by any superior power or force whatsoever, and fruitful sources of evil, including theft, gross breaches of trust, assault, and occasionally even violent deaths. Unfortunately, it was found that the fiscal laws and regulations of the various countries prevented the matter being embodied in the Convention. A Protocol was, however, entered into by all the Delegates for the purpose of preparing another Convention for this object; and it is hoped that an International understanding may be arrived at for preventing these abuses, as well as the barter of fish, nets, &c., which result from them. There is every reason to hope that the firm and judicious enforcement of the North Sea Convention will insure the peaceful conduct of fishery operations, and favourably affect the development of the fisheries in that sea.

Moved, "That the Bill be now read 2ª."—(*The Lord Sudeley.*)

THE DUKE OF RICHMOND AND GORDON said, he did not rise to offer any opposition to the second reading of the Bill, although he thought it had been pressed forward with undue haste. It was a Bill of great importance; it dealt with property; it imposed penalties of a stringent character, some of them being as high as £50; and infractions of its provisions were even to be visited with imprisonment, with or without hard labour. The Bill was presented on the 8th instant, and it was only delivered that morning, so that those who were interested in the subject had had no time to see what the Bill proposed to do. The 9th clause said that—

> "There shall not be manufactured or sold or exposed for sale at any place within the British Islands, any unlawful instrument within the meaning of this Act;"

but he could not find any definition of an unlawful instrument in the Bill. There were other provisions of a stringent character. One of them was that the use of any instrument for destroying nets was forbidden. It might, however, be desirable to have such an instrument exposed for sale. He did not propose to oppose the second reading; but he protested against a measure of this sort being delivered to noble Lords in the morning and read a second time on the same day. It would have been more in accordance with the usual practice if a longer period had been allowed to elapse before the second reading was taken. He wished to press on the Government the desirability of not taking the Committee stage for some time, so that those who were interested in the subject might look into the Bill and see how it affected the various interests in this country.

EARL GRANVILLE said, that many great evils had been found to exist in connection with sea fisheries, for which a remedy was sought to be found in an International agreement. Of course, it was in the power of Parliament not to sanction that agreement; but the object of the Bill was one to which no possible objection could be raised. He hoped, therefore, that the second reading would be agreed to. He thought, however, it was quite fair that they should not go into Committee until the noble Duke and other Peers had had an opportunity of considering the details of the measure.

VISCOUNT BURY said, that it was important that they should know the limits of the water covered by this Bill, and that it was advisable that the second reading should be postponed for a few days.

THE DUKE OF RICHMOND AND GORDON said, he had not asked that the second reading might be postponed, but the Committee.

THE EARL OF KIMBERLEY pointed out that the Bill was founded upon a Convention which had been before the House for some considerable time. That was the reason for proposing the second reading without very long Notice. The question whether a particular piece of rock near Jersey was or was not the exclusive possession of one Power, was not to be determined by any Fishing Bill which laid down the conditions of fishing in those waters, which were acknowledged to be exclusively British.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the *25th instant.*

REPRESENTATIVE PEERS (SCOTLAND) BILL.—(No. 84.)

(*The Lord Chancellor.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Lord Chancellor.*)

THE EARL OF KINTORE said, he did not wish to impede the third reading of the Bill; and, knowing that it was a Bill of minor importance to many of their Lordships, he should not have risen but for statements made by the noble and learned Earl on the Woolsack when the Bill was in Committee. The noble and learned Earl stated that if the Amendment proposed by the noble Earl (the Earl of Stair) were agreed to, the effect would be—

> "To introduce into the first Election Roll, and that by the deliberate act of this House, two Earls of Breadalbane, two Earls of Eglinton, two Lords Belhaven, and two Earls of Mar."

The noble and learned Earl added that he was not prepared to put on the Roll the name of any person who had not at present proved his title, and stated that he could verify what he had said respecting the effect of the Amendment. In answer to these statements, he (the Earl of Kintore) had replied that these Peerages had no bearing on the Bill, inasmuch as protests against the holders of these Peerages were not made by Peers voting at elections. This being contradicted by the noble and learned Earl, with the authority which he naturally possessed, he (the Earl of Kintore) might be forgiven for not having discussed the matter further at the moment. He had since had an opportunity of inquiring into the matter. It was by this Bill essential that to go on the Roll any person must have voted without protest at an election of Peers since 1862. On the title of Lord Belhaven being called at the election on August 4, 1870, Colonel Robert William Hamilton gave in a statement claiming the title, but waiving his right to vote on that occasion; and when the votes of the Peers present were called, they all voted—

> "With the exception of the said Robert William Hamilton, who had waived his right to vote as Lord Belhaven."

On March 7, 1872, Mr. John MacCallum voted, under protest by four Peers, as the Earl of Breadalbane; but in 1876 and 1879, when the Lord Chancellor said he had voted, and had had one protest presented against his right so to do, this gentleman, as a matter of fact, was travelling in the Transvaal State, South Africa; and so far from the protest being made by a Peer against his voting, the only protest presented was by his mother, the so-called "Countess Regina," in his favour. The Earl of Breadalbane (Gavin Campbell), whose right had been established under Resolution of the House of Lords in 1872, voted by signed list in 1876 and 1879. On the 18th of February, 1874, when the title of the Earl of Eglinton was called, Mr. William Stephen John Fulton gave in a protest, and lodged a signed list, claiming to vote as Earl of Eglinton, but "the said list was refused to be counted" among the votes. On the 16th of April, 1880, he again tendered a protest, which was not allowed to be read. No vote was given at this election in respect of the title of Eglinton. In none of these instances would the persons referred to by the Lord Chancellor be put upon the Roll, for the simple reason that they did not fulfil the first condition—namely, that of voting—excepting in the case in 1872 of the Breadalbane claimant, who would be excluded by the four protests against him in any case. The noble and learned Earl's case thus utterly fell to the ground, and afforded no argument against the noble Duke's (the Duke of Sutherland's) Amendment; but it was worth noting that if the claimants had voted as asserted, they would not have been excluded from the Election Roll by the Lord Chancellor's own clause, which required for the purpose of exclusion a protest against the vote by "a Peer at the same time voting." This condition of exclusion was not fulfilled in the Belhaven case, because the protester, Gavin Hamilton, who turned out eventually to have been the rightful claimant, and so a Peer at the time, did not vote. It was not fulfilled in the Breadalbane case in the instances of 1876 and 1879, because the protests were not made by a Peer, and were directed against a totally different person—namely, Gavin Campbell, the real Earl; and it was not fulfilled in the Eglinton case, because the protests similarly were not made by a Peer, and were not made against, but by the claimant, who protested against the real Earl. He would not have detained the House at such length were it not that he was anxious to clear himself from the possible imputation of having asserted as facts statements which, on cause shown, he was not prepared to substantiate.

THE LORD CHANCELLOR said, he was not sorry that the noble Earl had made the statement to which their Lordships had just listened, because whenever, through any cause, he had made a mis-statement to the House he was glad when an opportunity was taken to put it right. The noble Earl was perfectly right in everything he had said, and he (the Lord Chancellor) had only to explain how he had fallen into error. He had desired to have extracted from the Papers which had been laid before the House a list of all the instances in which there were protests recorded by Peers against Peers. He was afraid that he must have conveyed his instructions for that purpose in a manner which was not understood, because they were given to one whom he had not only every reason to confide in, but who was generally most accurate in all that he did; but the extracts which were made included, in point of fact, protests made by persons who were not Peers against those who undoubtedly were, without showing that such was the case. As no other protests were of any use for his purpose than those made by Peers, he had assumed that the contrary was the case. This did not at all affect the principle of what he said, or the other reasons which he gave for objecting to the Amendment moved by the noble Earl (the Earl of Stair). But, undoubtedly, a great deal that he said upon that occasion would not have been said if he had not fallen into that error. No gentleman claiming to be a Peer, whose right to that Peerage was open to controversy, and was controverted, ought, in his judgment, to be placed upon the Roll. He doubted whether, if the Amendment had passed, it would have had the effect contemplated, and whether the Lord Clerk Register would have been entitled to put that name on the Roll. At any rate, he should not be performing his duty if he had been any party to such a change in the Bill as would cause such an unproved claim, which had never been admitted by any competent authority, to be entered upon the Roll.

The Earl of WEMYSS said, there could be no question that the argument originally brought forward by the Lord Chancellor for rejecting the Amendment, to which reference had been made, exercised a great influence on the House. But the effect of the Bill as it stood was reduced to this—that, as regarded keeping Peers off the Roll, it would have effect upon one individual Peer, and one only. The fact remained that the Peer in question was on the Union Roll now. ["No, no!"] The gentleman representing the ancient Earldom of Mar had voted on several occasions. The House having, in 1872, declared that the title of Mar only dated from 1565, the noble Duke (the Duke of Buccleuch) had had the courage, in 1877, to come forward and ask the House to amend the Roll, and place this name in its proper place. On the advice of the present and the late Lord Chancellors, their Lordships recoiled from doing so; and what were they going to do now? They were going to do by Statute what they had recoiled from doing by Resolution. This Bill would be marred by what had taken place—marred by the resistance to what was a fair and just Amendment. He regretted that the Lord Chancellor, having resisted the Amendment upon certain grounds, which he admitted to be no longer tenable, still held to the Bill in its original form. Clause 7, going forth in its original form, would perpetrate an injustice on one of the Peers of Scotland. He would ask the Lord Chancellor to state clearly what was to be the position on the Roll, as regarded dates, of the Earldom of Mar, after this Bill had passed? He thought the noble and learned Earl would have a difficult task; and he did not expect that their Lordships' House, with the assistance of this Bill, would be able to get out of the mess which, rightly or wrongly, this question had got into.

The Lord Chancellor

Motion *agreed to;* Bill read 3ª accordingly.

Moved, "That the Bill do pass."—(*The Lord Chancellor.*)

The Earl of GALLOWAY said, that after the very frank statement made by the Lord Chancellor, that he had been made the victim of misplaced confidence, he would much rather have kept his seat without saying a word; but there was one particular sentence of the noble and learned Earl, used on the occasion which had been alluded to, with regard to which he hoped the same frank declaration would be made. The noble and learned Earl used the following words on that occasion:—

"That before the adjudication in favour of the Earl of Kellie, the gentleman I refer to"—

that was, the owner of the ancient Earldom of Mar—

"presented himself, and claimed the Earldom of Mar on no less than six occasions"—

the noble and learned Lord referred to the Holyrood elections—

"and on each of these occasions one protest was recorded against him."

As regarded the protests, up to that time he believed the noble and learned Earl was perfectly accurate; but he went on to say that after the adjudication in favour of the Earl of Kellie, the gentleman—that was, as he (the Earl of Galloway) described him, the owner of the ancient Earldom—never presented himself, and had, therefore, given no opportunity of ascertaining whether one protest, or more than one, or none at all, would be recorded against him. He could inform the noble and learned Earl that he (the Earl of Galloway) and other noble Lords in the House had been present on a memorable occasion since 1875, the year of the decision of the Committee of Privileges upon the claim of the Earl of Kellie, when the gentleman referred to got up and asked to be allowed to record his vote. He had seen the late Lord Clerk Register, who was then very aged, and consequently somewhat weak in body and mind, take the paper, and on the spur of the moment throw it on the ground and say—"I cannot take this, Sir, because you are a Peer of your own creation." ["Hear, hear!"] The noble Earl the Chairman of Committees cheered that statement. Perhaps he would not cheer the statement that the late Lord Clerk Register, before he died, expressed himself as very deeply regretting the course he had taken upon the point, because on investigation he found that he was utterly and entirely wrong in what he had done. The Lord Chancellor had been entirely misguided in this matter. He had trusted to information which was entirely incorrect. Here was a clause of a Bill directed against one individual, who had gone through the same legal course as was usual to every other Scotch Peer to go through upon his succession to the previous owner of a title, and which was perfectly sufficient in Scotland. He did not think that the Bill should be allowed to pass without a protest on the part of those who knew the facts.

LORD SALTOUN said, he thought the noble Earl who had just sat down was quite mistaken in saying that Mr. Goodive Erskine had gone through the same course as every Scotch Peer. When he (Lord Saltoun) succeeded his uncle, he had to prove his right to the title before the Committee of Privileges of their Lordships' House, as every Scotch Peer then had to do.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES), referring to the remarks of the noble Earl (the Earl of Wemyss), said, that no doubt there had been a proposal by the noble Duke (the Duke of Buccleuch) to place the Earldom of Mar on the Roll on the date that was found by the Committee of Privileges to be the date of the creation. This was objected to on the ground that no alteration had ever been made upon the placing on the Roll, however inaccurate some of the placings had been.

THE LORD CHANCELLOR said, that the noble Earl (the Earl of Galloway) had appealed to him to make another admission of error. He could not exactly do that. He might have used a rhetorical expression, which he certainly should never have used if he had thought it would have given pain to anyone. He did not, of course, know anything about the claimant to the Earldom of Mar presenting himself beyond what was stated in the Returns.

Motion *agreed to;* Bill *passed,* and sent to the Commons.

THE ORDNANCE SURVEY.

QUESTION.

LORD BRAYE rose to ask, What progress has been made by the Ordnance Survey during the past year; and to inquire whether, in view of the future increase of sale of land under the Settled Land Act of 1882, and consequent need of an official map to fix the acreage of landed estates, the Government will accelerate the completion of the map of England and Wales?

VISCOUNT BURY said, he had for a long time taken a great interest in this matter of the Ordnance Survey. Some 21 years ago, when he was a Member of the House of Commons, a Select Committee, of which he had the honour to be Chairman, was appointed to inquire into the whole question; and, as the result of their Report, the sum of money set apart for the development of the Ordnance Survey was increased to something like £98,000 a-year, Sir Henry James, then the Director of the Survey, having stated that that was the largest sum which he could employ with any advantage. Twenty-one years had elapsed since then; but still, looking to the Report of the Ordnance Survey for the past year, it appeared that a large proportion of the Kingdom was still altogether, as regarded accurate survey, entirely untouched. A small portion only in these 21 years of the 25-inch scale had been completed, and only a very little of the 1-inch revision, and this had dawdled on in such a way that the 1-inch revision was itself getting out of date. The other day he purchased the sheet representing the few miles around the centre of London, and, although his examination did not go far, he found Wandsworth Bridge was not in it, nor the mile and a-half of road leading out to Ealing Common. Thus the 1-inch Survey, which was to give an accurate map of the country, was itself out of date, and by the time it was completed it would be perfectly useless. The progress with the 6-inch and the 25-inch scales was equally unsatisfactory. They were told the whole Survey would be completed in 1890; but he hoped it would be conducted on a more systematic plan than at present, because surely something could be done to make the work more quickly available.

LORD SUDELEY, in reply, stated that in the year 1880 the attention of the Government was specially directed to this subject on the Report of the Committee upon Land Transfers and Titles, and the Government came to the conclusion that it was of importance that the Ordnance Survey should be accelerated. He was afraid the noble Viscount was in error in stating that the £98,000 which had been voted annually so many years was as much as could be used—the real fact being that it was owing to the amount of money not being larger that the Survey had been retarded. When it was resolved to accelerate the service, steps were at once taken to obtain larger Votes, so as to increase the number of people employed, and during the last three years the numbers had been greatly increased. At the present moment Scotland had the Survey completed, and the last man left there in November; and what had been done during the three years was this. In 1880 there were 224 men employed on the Survey, and they surveyed 1,070,000 acres; in 1881 there were 381 men employed, and they surveyed 1,500,000 acres; and in 1882 there were 467 men employed, and they surveyed 2,174,000 acres. If they sought to accelerate the work, or to get it performed quicker than it was now being done, there would be a danger that they would not get that high standard of accuracy which was greatly to be desired in such a matter as this. As to the complaint that the Survey made some years ago was not now out of date, there could be no help for that; but it was the desire of the Government to have the present Survey completed as soon as possible, and when it was completed the necessary alterations might be made. In making arrangements originally for carrying out the Survey, it was found requisite for military purposes that particular districts in different parts of the country should be surveyed first. It was also considered that, in the public interest, preference should be given to the mineral districts. The work would now, however, be carried out in a uniform manner. He could assure the noble Lord (Lord Braye) that there was little doubt the Survey would be completed in 1890, and it was even hoped that it might be finished a short time before that date.

EARL FORTESCUE wished to press on the Government the necessity of the Survey being completed as soon as possible. Great inconvenience resulted from the existing state of things, especially to those interested in land, for the present maps were very incomplete and unreliable. Roads in Devonshire which had been in existence for half a century, to his knowledge, were not laid down on the maps. Ireland had long got the largest share of Government aid, and the Ordnance maps of Ireland saved the expense of having estate maps made. But it was too bad that wild moors in Scotland should have been mapped in the greatest detail for the benefit of their owners alone, and a few of the most picturesque scenes only of some tourists; while the greater part of the cultivated lands of England were left by the Ordnance with nothing better than the old obsolete map on the 1-inch scale.

THE MARQUESS OF SALISBURY said, he could also bear testimony to the enormous amount of inconvenience which had been caused by the delay that had taken place in the publication of the 6-inch map. Any envy expressed of the superior facilities that foreign nations had of transferring land with little or no expense or difficulty was really hypocritical, as long as no measures were taken to furnish the maps which must be necessary for such purposes. They seemed to have gone on the principle of serving first those parts of the Kingdom which were the most disagreeable to the Government, and which were not in so much need of the maps as England. The most disagreeable part of the Three Kingdoms was Ireland, and, therefore, Ireland had a splendid map. Next to Ireland, Scotland was the most disagreeable part of the country to the Government, and, consequently, Scotland had a map; but poor, meek, humble, submissive England was necessarily left to the last.

In reply to Viscount BURY,

LORD SUDELEY said, that the dates given for the completion of the Survey included the time of publication of the 25-inch and 12-inch maps, but not the 1-inch; and with regard to the complaint respecting the long delay in publishing the 6-inch maps, he pointed out that, owing to the invention of General Cook, the late Director General of the Ordnance Survey, of photo-zincography, the production of these 6-inch maps would be very much accelerated, and a saving of £100,000 made in their cost.

ARMY—RECRUITING FOR THE ARMY AND MILITIA—OBSERVATIONS.

LORD ELLENBOROUGH, in rising to call the attention of the House to the general state of the Army, and particularly in reference to recruiting for the Army and Militia, remarked, that the question as to the causes of deterioration in recruiting for the Army was a very wide and important one, and he did not think that the causes which had been previously given for this deterioration embraced the whole of the reasons for it. One thing which the Army certainly wanted was rest; and no arrangement that was contemplated by this or any other Government would have immediate effect, because they had got to undo the want of confidence which had been created among the classes from which the recruits were drawn. Many illusions existed on this subject, and there was not one so great on any subject as that with reference to corporal punishment in the Army. His opinion on the question of corporal punishment was that, by its abolition, they deterred the better class of men from joining the Colours, because they removed the protection which it gave to steady and well-conducted men. The objection to it was absurd, and rested entirely on prejudice. The absurdity was seen in the fact that a man discharged from the Army as a bad character, might afterwards be sent to gaol by the Civil power, and there corporal punishment might be inflicted on him. Yet it was not to be enforced in the Army for the sake of discipline. He was not so young a soldier as some persons might suppose, for he entered the Service 44 years ago, and he was convinced that a great portion of the old system might be far more economically and advantageously followed in the Army than the present one which had superseded it. As to looking forward to the Reserve, as it had been looked forward to, he believed that would be found to be most illusory. In political life it was not usual for critics to say what they would do themselves; but military critics could say what they would do. Without alarming the country at all, it could be said that our ranks were thin. The strength of the regiments ought to be what it was under the old system; the actual strength being less than depôts should be, and were under the old four-company regimental depôt system. The sooner the country appreciated the great interests at stake, and what they had to lose, the better. Their Army was necessarily very small, and, therefore, it ought to be more efficient than any other Army. In regard to filling the ranks of the Army, he would have the English and Scotch Militias embodied for six months, after the harvest of the present year. The best soldiers came from the Militia, and such soldiers cost the country nothing. At present, even the lists of officers were not filled up, and which could have been done without expense. He would implore the Government without delay to have a plan of their own, and to have a fixed time when it would be acted upon. A Government that would forget Party in the matter for a sufficiently long period would disarm opposition. Yielding too easily to sentimental feelings, they had abolished marking and corporal punishment, both of which were valuable for the protection of well-behaved men. He did not suppose that corporal punishment in the Army would be re-introduced, nor was it, strictly speaking, necessary, on the old system. He would prefer seeing at the head of the War Department a real soldier, or a real civilian, not a man a little bit of one and a little bit of the other — that he did not like to see; but, at all events, he hoped that the Secretary of State for War would form an opinion of his own, and not follow those of other people, or obtain it from the hustings. There had been many unjust and untrue statements made in regard to the infliction of corporal punishment. In 1855, he was with his regiment at Gibraltar, and during a whole year only one man was flogged, though there was every temptation open to the men. During the years that he had been in the Army he never heard that the use of corporal punishment was abused. It was abolished for the sake of change, without anything better being introduced in its stead, or indeed any substitute whatever. He implored the Government to consider the expediency of providing a substitute for it in the field, or honestly own that there was not any to be found, by re-introducing it for the Army in the field. Under the Purchase system there was never such heartburning among officers as now. Under that system the poor

House and the country see what they proposed to do.

THE DUKE OF CAMBRIDGE said, it was quite evident that great mischief would arise to the Services if these Acts were not kept in operation. If it were merely a question which affected the Army and Navy he might not consider it right to press the matter so much; but it was a question which affected the whole morals of the country, and instead of the Acts being repealed they should be extended far more than they had been. Where the Acts had been applied they had not been objected to—on the contrary, there was a decided wish on the part of the local authorities to retain them in force. Those who agitated for their repeal were persons living at a distance. In the towns in which the Acts were in operation there were 250 fewer houses of ill-fame since the introduction of the Acts than there had been before.

LORD STRATHNAIRN agreed that the Acts had been of the greatest value to the towns which had come under their operation. He considered that the opponents of the Acts were patrons of immorality.

THE EARL OF WEMYSS would suggest that, as the Government were so fond of Local Option in the matter of drink, that principle should be acted upon in the present case, and garrison towns given their own wish in the matter.

THE EARL OF NORTHBROOK said, he was afraid that this was one of the questions which occasionally arose upon which the feeling entertained in their Lordships' House was not altogether in accordance with that expressed in the other House of Legislature. There was no change whatever in the action of the Government with regard to the position of persons under treatment in hospitals. They were still liable to penalties if they left without a medical certificate. With respect to the value or otherwise of these Acts, he could only repeat that he was in favour of them. He believed that they had done some good in regard to the health of the Army and the Navy; though, from a statistical point of view, the result in regard to the Navy was by no means so great as some people supposed. That was accounted for by the fact that sailors were less stationary than soldiers. He was satisfied also that the Acts were popular, for the most part, in the places where they were in operation. Besides, whatever benefit had been done to the health of the Services, undoubtedly the indirect effect of the Acts had been a considerable improvement in the condition of the streets in those towns; and it was greatly to the credit of the Metropolitan Police, who had been engaged in administering them, that young girls had been kept off the streets, and many women brought back from their vicious course of life to respectable occupations in society. But the Government had to deal with a practical question—namely, that the other House of Parliament, after a long debate, had by a majority of between 60 and 70 decided against compulsory examination. Now, seeing that the money required under the Act had to be voted by the House of Commons, the Government considered that it would be idle to continue compulsory examination in the face of so deliberate a vote. It was thought, under these circumstances, that the only practical course was to withdraw the Metropolitan Police from the compulsory part of the examination. With regard to the arguments as to the general effect of these diseases on posterity, they led very much further than the Acts themselves, because it must be recollected how few places in the country the Acts touched. Although, personally, he regretted the vote of the House of Commons, he must add that, in his opinion, it was impracticable to extend the system over the whole country, for which alone any general benefit to health would be derived.

THE MARQUESS OF SALISBURY said, that when the noble Earl spoke with regret of the action of the House of Commons in regard to these Acts, it was necessary to bear in mind that 19 Members of the Government voted or paired in favour of the Resolution, including the Prime Minister, which the noble Earl, on behalf of the Government, deplored. But what he rose to point out was that this question had two aspects. It had one of a social, a sanitary, and an administrative character, in respect to which much had been said in which he entirely concurred. The evils which had been brought back to these towns were of the very gravest character. But there was another aspect of the question with respect to which he wanted information. He wished to know precisely how far the Government had, on their own authority and without the consent of Parliament, suspended the operation of an Act of Parliament? If it were only the case that they had simply abstained from that action which absolutely required the vote of money by Parliament to sustain, and if they had not gone an inch beyond that abstinence, of course he did not blame them from the Constitutional point of view, for they could not expend money which they had not got. But, as he understood, they had suspended compulsory examination. They had not merely ceased to pay special officers for doing it, but they had given orders that that which the Act prescribed should no longer be done, or, at all events, they had given orders that that which the Acts empowered them to do should no longer be done; and they had done that, not at any bidding of Parliament, but simply by a snatch vote, obtained at a single Sitting of the House of Commons. It was not merely a question as between the two Houses; but a decision on a grave question of public policy had been taken without any of those safeguards of repeated deliberation which, in regard to every Act of Parliament, were in both Houses required. He wanted to ask the noble Earl whether he would lay on the Table all Letters and Orders given with reference to this subject since the vote of the House of Commons to which he had referred?

THE EARL OF NORTHBROOK said, he did not think there would be any objection to produce the Letters which the noble Marquess asked for; but he would make inquiries before giving a final answer.

THE MARQUESS OF SALISBURY requested an answer to the question whether the Government had merely left off paying money, or had forbidden the proceedings directed by the Act from being carried out?

THE EARL OF NORTHBROOK said, that certainly the intention had been simply to withdraw the Metropolitan Police, who were paid out of the Vote, from taking part in the compulsory operation of the Acts. They had no power to prevent the operation of the Acts apart from that. That was their intention; but they issued certain instructions to the Visiting Surgeons, and these were comprised in the Papers which the noble Marquess would like to see, and he did not think there would be any objection to produce them.

In reply to Viscount BARRINGTON,

THE EARL OF NORTHBROOK said, that the Government had no power to interfere with the local authorities in respect of any powers which they enjoyed under the Acts.

LUNATIC POOR (IRELAND) BILL [H.L.]

A Bill to make better provision for the care of the Lunatic Poor and for the inspection of Lunatic Asylums in Ireland; and for other purposes relating thereto—Was *presented* by The LORD PRESIDENT; read 1ª. (No. 85.)

COLONIAL PRISONERS REMOVAL BILL [H.L.]

A Bill to make further provision respecting the removal of Prisoners and Criminal Lunatics from Her Majesty's Possessions out of the United Kingdom—Was *presented* by The Earl of DERBY; read 1ª. (No. 86.)

INDIAN MARINE BILL [H.L.]

A Bill to provide for the regulation of Her Majesty's Indian Marine Service—Was *presented* by The Earl of KIMBERLEY; read 1ª. (No. 88.)

House adjourned at half past Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 12th June, 1883.

The House met at Two of the clock.

MINUTES.]—NEW WRIT ISSUED—*For* the County of Monaghan, *v.* John Givan, esquire, Crown Solicitor for the Counties of Meath and Kildare.

NEW MEMBER SWORN—Thomas Roe, esquire, for Derby Borough.

PRIVATE BILLS (*by Order*)—*Considered as amended*—Belfast Harbour.

Second Reading—Metropolitan Board of Works (District Railway).

PUBLIC BILLS—*Ordered—First Reading*—Electric Lighting Provisional Orders (No. 4) (Barton, &c.)* [223]; Electric Lighting Provisional Orders (No. 5) (Bermondsey, &c.) * [224].

Second Reading—Inclosure Provisional Order (Hildersham) * [209]; Land Drainage Provisional Order (No. 2) * [210]; Local Government Provisional Order (No. 10) * [206]; Metropolis Improvement Provisional Order * [173]; Metropolis Improvement Provisional Order (No. 2) * [174]; Metropolis Improvement Provisional Order (No. 3) * [175]; High Court of Justice (Service of Writs) [184].

Committee — Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Second Night*]—R.P.

Committee—Report—Forest of Dean (Highways) (*re-comm.*) * [222].

Report—Local Government Provisional Orders (Poor Law) (No. 2) * [177].

Withdrawn—Cathedral Statutes * [67]; Clerical Disabilities (House of Commons) * [111].

PRIVATE BUSINESS.

BELFAST HARBOUR BILL. [*Lords.*]

(*by Order.*)

CONSIDERATION, AS AMENDED.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

Mr. BIGGAR said, he had given Notice, in regard to this particular Bill, that he would move, as an Amendment—

> "That it be re-committed to the former Committee:" and "That it be an Instruction to the Committee to lower the qualifications of the Commissioners and electors, so as to make the same in conformity with the qualification for the Parliamentary Suffrage."

In moving that Amendment, he desired to offer such observations in support of it as he thought were called for, and no more. It was probably known, in regard to the question of the franchise of Harbour Commissioners, that in many instances, in different places, such franchises were based upon arrangements made in Private Bills; and, of course, Private Bills were promoted by the persons in possession of the Harbour Trust for the time being. The result of that system was, that the gentlemen who now composed the Harbour Board of Belfast deemed it more convenient that there should be a narrow, rather than an extensive, franchise. It was only natural that gentlemen, already in possession of the franchise, should think it was a very good world they lived in, and that there was no necessity for extending it, or for admitting any other persons into their Body. Nor were they at all desirous of extending the vote; and, as a necessary consequence, a great number of persons who were interested in the management of the Docks and Harbours were not represented. Last year, the Harbour Commissioners of Belfast promoted a Bill which gave them borrowing powers to the extent of something like £900,000. On that occasion, he (Mr. Biggar) opposed the Bill in that House, on the ground that these gentlemen were elected upon an extensively narrow franchise; and he thought it desirable that the inhabitants of Belfast should have a fuller opportunity of expressing their opinion, with regard to the franchise, before the property and rates of the borough were so heavily mortgaged. On that occasion, a compromise was made on behalf of the Harbour Commissioners, that this year they would promote a Bill to extend the franchise, and, in pursuance of that compromise, they had brought in the Bill now before the House; but he considered that that Bill did not at all conform with the spirit of the age. In fact, it had long been the principle of both political Parties in England to extend the franchise in regard to Parliamentary and Municipal elections; but these gentlemen, the Harbour Commissioners of Belfast, still continued to argue in favour of the exploded idea of close corporations. He would not attempt to argue in that House, whether the franchise should be wide or narrow. They all knew that it had been the theory of the so-called Liberal Party, for the last 50 years, to extend the franchise very materially in connection with the election of public Bodies. They knew that the lowering of the franchise was used in almost all cases as a Party cry, for the purpose of bringing about an extension of the franchise. Even the late Lord Beaconsfield—an extremely wise gentleman in his generation—thought it was judicious to propose a much more extensive franchise for Parliamentary boroughs. The Harbour Commissioners of Belfast, however, thought themselves much wiser than the late Lord Beaconsfield, or all the reformers of the last 50 years, and they proposed a franchise which was altogether insufficient for the purpose for which it was required. He found upon inquiry that, in the majority of cases, the franchise in regard to Harbour Boards was based, not on the rating of the inhabitants of the places in which the harbour was situated, but on the payment of dues in the port. In Belfast, the principle had always been different, and the franchise, up to the present, had been based on a certain contribution per annum to the police rate, and also upon the ownership of vessels in the port. He did not desire to criticize the qualification of the ownership of vessels; but he would confine himself to that part of the question which related to the qualification of those electors who were ratepayers of the borough. The qualification of a Parliamentary elector of the borough was a contribution of £4 per annum to the police rate. The Town Council of the borough had power to return certain members upon the Board. But the qualification of an ordinary elector to vote for a Harbour Commissioner was the occupation of premises within the borough rated at £50 to the relief of the poor. That was considered an insufficient franchise, and the Harbour Commissioners, in furtherance of their promises, proposed to lower it. He, himself, had always been in favour of a very wide franchise, and he did not see on what ground persons entitled to vote for a Member of Parliament, should not be as competent to vote for the members of any local Board. It was upon that ground he asked for a further extension of the franchise. It had been argued by the Chairman of the Harbour Commissioners, who gave evidence before the Chairman of Ways and Means in Committee upon the present Bill, that it was desirable, seeing that so large an amount of property was placed under the control of the Board, that the Commissioners should be persons of respectability, and should, therefore, be elected by the large ratepayers. That might be very true; but he failed to see, nor had he seen from past experience, that gentlemen elected on a high franchise managed affairs better than those who were elected on a small franchise. He also failed to see that the Harbour Commissioners of Belfast, who were elected on this extravagant franchise, had been more honest in dealing with the Trusts reposed in them than Commissioners elected on a much smaller franchise. He was able, from personal experience and the knowledge he had possessed all his life of these public Boards in Belfast, to say, without hesitation, that although most of the Boards in that town had made mistakes, and done things which they ought not to have done, yet the worst managed Board, and the one in which the most extensive jobbery had prevailed, was the Harbour Board of which he was now taking cognizance. The members of that Board were more or less confined to certain sections of the Conservative or Whig Parties. There was not on the Board, as far as he knew, a single individual who could be called a gentleman of Liberal principles. They were Party men; but he did not mean to assert that they were gentlemen who took an extremely active part in political affairs. So far as the Harbour Board was concerned, they were all of one particular Party, and they were of opinion that it suited their purposes best to get elected upon a high qualification, and that it was desirable for things to continue in their present position. It was also argued by the Chairman of the Harbour Boards, that the Harbour Commissioners had been able to borrow money upon more favourable terms, and that if the franchise were extended, they would not be able to borrow from the public on the same favourable terms. Now, hon. Members knew, from personal experience, that that statement was not founded on fact; because they knew, and he knew, that there were other Boards in Belfast, with much lower qualifications, which had been able to borrow money on the same terms. There was no evidence whatever in support of that contention, and he had not heard any argument in favour of the contention of these gentlemen, who said the Harbour Commissioners should continue to be a thoroughly exclusive Body, elected by a very limited number of electors, and should also be able to declare themselves qualified by fixing a very high property qualification. He would state what the qualification proposed by the Bill for the electors was, and also the qualification proposed for members of the Board. The qualification of an elector proposed by the Bill was of a very peculiar nature. In the first place, he was to be a registered owner of a vessel belonging to the Port of Belfast, engaged in the Coast, Channel, or foreign trade, of not less than 50 tons, net register, or of two or more such vessels, having an aggregate tonnage of not less than 50 tons; or the registered owner of shares, amounting to not less than 50 tons, of vessels registered and engaged in that manner. With that qualification he would not interfere, because he did not pretend to understand the shipping business. But the rating qualification of an elector was, first of all, that he should be rated as the occupier of premises within the borough of Belfast of the net annual value, according to the Government valuation for the time being in force for the destitute poor of Ireland, of not less than £20, which meant a rental of more than £35 a-year. Then, in addition to that, there was a multiple vote. Occupiers rated in respect of premises were entitled to vote according to a scale set forth in the Bill, commencing with one vote for premises of £20, and less than £50 net annual value; of two votes for premises of the value of £50, and less than £100; and so on up to six votes, where the premises were of the net value of £250, and the net value might be made up by joining individual holdings together, and connecting together property situated in different parts of the borough. The consequence of this system was, that it placed the entire control and influence in the hands of persons who were large ratepayers, to the detriment of those who were rated at a lower annual value. He contended that such a franchise was altogether contrary to the spirit of the age, and that it involved a principle which ought not to receive the sanction of the House of Commons, and especially by the so-called Liberal Party, who possessed a majority of votes in that House, Then, again, as regarded the qualification of members of the Board, that also, he contended, was entirely unreasonable. The principle of the property qualification involved in it was of a highly absurd nature. And for this reason. Experience proved that anyone who wished to become a member of a public Board, and desired to evade his obligations in regard to a property qualification, was always able to evade them, and get elected. This question of property qualification was discussed at very great length in that House some years ago, and ultimately the Liberal Party carried the abolition of property qualification in regard to Members of Parliament. Now, he thought that if Members of Parliament, elected without property qualification, were capable of managing the Public Business of the nation, involving the expenditure of many millions of money per annum, and of legislating and making laws to protect the lives and liberties of the people, a public Body whose simple duty was to manage the dock rates on a fixed scale, with no power to go above or below that scale, had no right to claim to be elected upon a high property qualification. He was of opinion that no argument whatever had been adduced in favour of a property qualification in this instance. The property qualification the Harbour Commissioners asked for was of several kinds. First of all, a member of the Board must be rated as the occupier of premises within the borough of Belfast, of a net annual value, according to the Government valuation for the time being in force for the purposes of the relief of the destitute poor of Ireland, of not less than £60; or, as one of several joint occupiers of such premises on a net annual value, according to such valuation, of not less than £60 for each of such joint occupiers; or, he must be seized or possessed in his own right, or in the right of his wife, of real estate in the United Kingdom of a net annual value of not less than £200, or of personal estate of a gross value of not less than £5,000. He had certainly never heard before that a man's means of living should be one of the qualifications for membership of a public Board; but he presumed that the Harbour Commissioners of Belfast considered that they were acting more or less in conformity with the spirit of the age. It would be seen that even the property of a married woman was to form a qualification. It might happen that the wife was very rich, and, at the same time, the husband was nothing more than a lodger, with no personal influence of property whatever. At the same time, he would have power to act upon this Board, and he might abuse the position to the detriment of this public Trust. He could, without much difficulty, point out some of the grave mismanagements of the Board in times past, and he could show what he was disposed to think had been very doubtful operations; but he did not wish to be personal. He was not acquainted with the names of more than one-third or one-half of the members of the Board, and he was not disposed to speak in any harsh manner of these gentlemen; but, at the same time, he said, without hesitation, that their management of public affairs in Belfast had been a perfect scandal, especially in regard to the jobbery which took place. All the sympathies of the Harbour Board were entirely in favour of that class who were represented by the Board, and the interests of the small ratepayers and the large mass of the inhabitants of Belfast had been altogether ignored in the transactions of this Body. Now was the time for making a reform, and to make this a much more popular Body than it had ever been before by doing away with the system of close corporations, which now existed, and rendering the Harbour Board more subordinate to public opinion. Hitherto, the Board had possessed a power which had been a scandal—namely, the power of filling up any vacancies which arose in their own number. He contended that that was a most objectionable system, and that it had worked most unfairly. It was not unfrequently the case that a person who was popular was able, along with certain *confreres*, to carry the election, and to help some two or three other members to seats on the Board. Then, as soon as the election was over, this gentleman resigned his seat, and some person not so popular, and who would not have been elected at all, was put in by the remaining members of the Board. He was strongly of opinion that that was a principle which ought not to be continued, because he thought that nobody but the electors should select the members of a public Board; and for these reasons he would move the Amendment which stood on the Paper in his name.

Amendment proposed, to leave out the words "now considered," in order to add the words "re-committed to the former Committee," — (*Mr. Biggar,*)— instead thereof.

Question proposed, "That the words 'now considered' stand part of the Question."

Mr. DAWSON said, he thought his hon. Friend the Member for Cavan (Mr. Biggar) was entitled to the thanks of the constituencies in Ireland, and also of that House, for opening up this great question of local government. The great principle the present Government had always put forward as a panacea, not only for evils in England, but in Ireland, was the extension of local government; and hon. Members on the other side of the House had invariably advocated the propriety of giving increased power to the people, by legitimate means, to express their opinions, so that the illegitimate use of power should cease to exist' He thought the present Bill afforded a very admirably opportunity for calling attention to the evils of the present system, and also to the evils of the existing system of representation in Ireland generally. The constitution of the Belfast Harbour Trust, proposed by the Bill, was entirely at variance with that principle of local government of which they heard so much; and the principle of confining it entirely to a property qualification would inevitably exclude, from a share of the representation, those people who were most largely interested, and who were most entitled to it. The idea which seemed to prevail in the Bill was, that those who were most deeply interested in continuing a course of mismanagement, which might in the end prove disastrous to the ratepayers, should be the arbiters and judges of their own case. It was quite true that the shipping of Belfast might be theirs; but, if the power they exercised was altogether one-sided, it might be wielded in such a manner as to deal most unfairly, not only with the importers and exporters of goods, but with the consumers. They were told by the Harbour Commissioners that it was necessary to have steamboat owners and shipowners to regulate these matters. He altogether dissented from that assertion, and he thought that what was really desired was the appointment of neutral men. They wanted unbiassed people, who had absolutely no connection with any class—men who would stand between the parties interested, and who could pass a fair judgment upon any case that might be brought under their notice. It seemed that the shipowning interest and the interests of property were fully represented on the Board; but there was no one there to represent the interests of the people. It was only natural, therefore, that the only interests consulted by the Board were the special interests of their own trade and class. It might be said that if Parliament declined to act upon that principle, and gave the power of electing men upon Harbour Boards, who were not great shipowners or great traders, they would have nothing done in the interests of the port and harbour. Now, what illustration did the composition of the Treasury Bench afford of the truth of that argument? The noble Marquess who presided over the War Department had never been a soldier or a distinguished General; and was it ever thrown in his teeth that he did not possess all the information and knowledge which a connection with the Profession would have given him? Was it contended that the Members of the Government who brought in Land Bills for England and Scotland should be great landed proprietors?

Mr. SPEAKER: I must call upon the hon. Member (Mr. Dawson) to address himself to the question before the House, which is the Belfast Harbour Bill.

Mr. DAWSON said, the Bill provided that one of the qualifications for membership of the Board should be, that the member elected should be a great trader, and should hold property in steam vessels. He had, therefore, thought it an apposite allusion to endeavour to show that a large interest in a particular trade or profession was not a necessary qualification for the administration of public affairs. The present qualification for the Harbour Commissioners was distinctly exclusive. He believed it was, that every person who had a share, to the extent of £100, in a ship or steamboat should have a vote; but here, in this Bill, it was raised to £300, thereby narrowing the qualification in a very important extent. In the Harbour Board of Dublin, which he thought no one could say was a popular Board, there certainly was an extension of the popular element in order that there might be some kind of representation of the interests of the people as well as of the interests of trade. In that case, the Lord Mayor, four members of the Corporation, and the High Sheriff were placed upon the Board; but in the present Bill, with the exception of the Mayor of Belfast, the Corporation had no representation whatever. Upon the Harbour Board of Limerick, the Mayor and five members of the Corporation, or popular Party, represented the interests of the people. There was no such representation here, and he thought it was a matter for serious consideration whether the composition of the Board, as now proposed, would be able to deal properly with the interests of the people of Belfast. It was quite evident that occasions might arise when the interests of the trade would be diametrically opposed to those of the people. He (Mr. Dawson) was an *ex-officio* member of the Harbour Board of Dublin, and he had heard very important cases raised in connection with questions of wharfage and quayage. In one instance, an hon. Member of that House connected with the coal trade was intimately concerned. Without any communication with the hon. Member, it was discovered that exclusive privileges were proposed to be conferred upon the Dock Board, to the detriment of the interests of Free Trade, and the advancement of Monopoly. The case was fully looked into, and the flimsy pretext upon which the transaction was based was removed. If that had not been done, an English Company and an English Chairman of a Coal Company would have been deprived of all the rights they possessed, and a monopoly would have been handed over to the Dock Board. That would inevitably have been the case, if he and others had not been present, as members of the Board, to vindicate the interests of the consumers of coal in the City of Dublin, and one particular Body would have been allowed a monopoly of the trade, and there an injustice would have been imposed upon the ratepayers and the people generally. Now, were they going, in this great town of Belfast, to perpetuate monopolies? His hon. Friend the Member for Cavan had drawn the attention of the House to the principle upon which hon. Members were admitted into the House of Commons—namely, without any properly qualification whatever; because, after all, they found that it was the representation of the people which was the title of their Acts of Parliament, and not the representation of property. If they were to make provisions for the representation of property, then let them give up at once all idea of legislation and debate, and of considering the interests of the people, and tell a man to put down his thousands and tens and hundreds of thousands of pounds, and then add them up to show the extent to which his interests should be credited. He believed that no properly qualification was required in the case of elections to the Corporations of Ireland or of England, and it was a most illogical contention to say that the wider they gave the franchise, in the case of Parliamentary and Municipal elections, the narrower and the more closely were they to draw everything which ought to be done towards advancing the material interests of the people of Ireland. Perhaps the House would allow him to turn to the question of Parliamentary elections. The electors of the City of Belfast sent two Representatives to that House, both of whom were Conservatives; and they were returned by electors who were only rated at £4 per annum to the relief of the poor. The men returned by such a franchise were called upon to legislate, not only for Belfast, but for Ireland, Great Britain, and the Empire at large; and yet it was held by the Harbour Commissioners of Belfast that it required five such electors, rolled into one, to constitute an elector for the Harbour Board. Could any logical contention be advanced in favour of the perpetuation of such a state of things? Then, again, take the case of the Municipal Council of Belfast. The qualification in that case was only £10, and it was necessary to roll two such electors into one, in order to produce an elector for the Harbour Board. Considering all these circumstances, he thought his hon. Friend the Member for Cavan was entitled to the thanks of the House for bringing the matter forward. His hon. Friend had shown, most distinctly, the anomalous nature of the extraordinary position in which the Belfast Harbour Board was placed. He (Mr. Dawson) should certainly decline to support a Bill which continued the evils under which the people were suffering considerably, not only in connection with Belfast, but with other parts of Ireland. He objected to anything in the nature of a secret conclave being allowed to deal with the public interests; and he thought that all matters which related to the public interests should be open to the scrutiny of the public. What would be the feeling of the people if the debates in that House were held with closed doors, and if important matters which concerned the welfare of this great Empire were not made known to the public? Yet it was a matter of daily occurrence in Belfast, and the people were utterly devoid of representation. The representation of the people and local taxation formed one of the most favoured themes of Liberal politicians, and this Bill was entirely opposed to any extension of that principle. He should not have been surprised if the Bill had been brought in and supported by a Conservative Government. It was Conservative in all its clauses; and, if brought in by Conservatives, there would have been a logical sequence in their ideas and acts, and they would be acting up to their principles in bringing forward Conservative propositions and carrying them to Conservative results. But it was an extraordinary anomaly to find a measure bristling with Conservative clauses brought in by an hon. Member sitting on the Treasury Bench, and intended to perpetuate a monopoly. He was satisfied that this Conservative anti-popular Bill would prove a severe infliction upon the people of Belfast, if it was not at once repudiated by the House, and if some Member of the Government did not, in the strongest terms, denounce it as inimical to everything that was liberal and fair towards the representation of the people. He was sure there were many other Members of the House who would be able to contribute criticisms upon the Bill, and to stand up for the interests of the people of Belfast, against whose liberties the present Bill aimed a serious blow. He felt keenly that the Bill ought to be amended, and that a population, of whose good conduct and loyalty they had heard so much, should not be deprived of their privileges as regarded the power of electing members upon the Harbour Board of Belfast.

MR. CORRY said, that if the interference of the hon. Member for Cavan (Mr. Biggar) in the affairs of the Belfast Harbour Board were brought before the inhabitants of that town, they would give a verdict which would not be very satisfactory to the hon. Gentleman, who was certainly very seldom found in the same Lobby as the hon. Members who represented Belfast. The hon. Member took every opportunity he could of interfering with the liberties of the people of Belfast; and, although the verdict of the people of Belfast might not, as he (Mr. Corry) said, be satisfactory to the hon. Gentleman, he imagined, from what he knew of the hon. Member, that that would not make very much difference to him. The action of the hon. Member at present, and also last year, could only create annoyance, and put the ratepayers of Belfast to a considerable amount of expense. Last year, the Belfast Harbour Commissioners came before the House with a Bill to ask for increased borrowing powers, and also to enable them to carry out certain extensive works. When that Bill was before the ratepayers, a section of the ratepayers thought that some clauses should be introduced into it in reference to the franchise; and they went before the Harbour Commissioners, and asked that that should be done. It was found impossible in that Bill to do so; and the Harbour Commissioners made a promise that a Franchise Bill should be introduced in the present year. The ratepayers had had the matter very fully before them; no opposition came from them; and it remained for the hon. Member for Cavan, and those who acted with him, to raise opposition to the Bill, which, it was directly admitted, dealt with the question of the franchise in the way the electors themselves desired. The fact was that several proposals were placed before the Harbour Commissioners, and the franchise was one of them. The present Bill, however, exactly carried out the proposals made by the electors themselves. It was a matter of great surprise to the promoters of the Bill that the hon. Member for Cavan should take this action in the matter; because he (Mr. Corry) understood that, through the courtesy of the hon. Baronet the Chairman of Ways and Means (Sir Arthur Otway), the hon. Member was allowed to go before the Committee and state his objections to the Bill. The Harbour Commissioners then appeared before the Chairman of Ways and Means; but they declined to accept the hon. Member's proposals, and the result was that the hon. Baronet and the Committee, feeling perfectly satisfied that every objection which had been raised to the Bill by the hon. Member for Cavan had been fully met, and that the Belfast Harbour Commissioners had fully carried out the wishes of the ratepayers of Belfast, allowed the Bill to pass through Committee. As he (Mr. Corry) had stated, no opposition had been made to the Bill, either in Belfast or elsewhere. The fact was that the Ratepayers' Committee waited on the able to deCommissioners, and expressed of the people satisfied that the Harevident that occasi had carried out the interests of the wished them to diametrically opposed to me before the House as an unopposed Bill; and he thought it would be an extreme proceeding on the part of the House of Commons, if, at the dictation of the hon. Member for Cavan, and those who supported him, the people of Belfast should not be allowed to manage their own affairs as they thought fit. Last year the hon. Member for Cavan said the qualification of the electors should be £10. Before the Chairman of Ways and Means he proposed £8, and now he had come down to £4. He (Mr. Corry) supposed that next year, in the opinion of the hon. Member, it ought to be nothing; and he did not know what the end would be. The fact was, there was no analogy whatever between the Harbour Commissioners and the electors for the Harbour Commissioners, and elections for Members of Parliament and members of Municipal Boards. The Harbour Commissioners were trustees for a very large property; and, acting in that capacity, they had important interests to protect. He was one of the unfortunate jobbers connected with the Harbour whom the hon. Gentleman had referred to. He had had the honour to possess a seat on the Harbour Board for the last 13 or 14 years; and, from his own knowledge of what was done at that Board during that time, he was able to give a flat contradiction to the statement of the hon. Member in reference to the jobbery perpetrated by the Board. The assertion was perfectly unjustifiable; and it was not the case that the ratepayers who would be excluded by the Bill were interested in the Harbour Rates in any way. The fact was that the ratepayers included in the Bill were those who paid the rates for the Harbour. One of the matters which the ratepayers were very anxious about was that the number of the Commissioners should be increased from 15 to 21, and that had been done. The Harbour Commissioners had met the ratepayers in every possible way, and the ratepayers were entirely satisfied. He had no wish to take up the time of the House unnecessarily; but he sincerely trusted that they would not adopt the Amendment which had been moved by the hon. Member for Cavan.

Mr. SEXTON said, he thought the Belfast Harbour Board deserved some commiseration, if no better defence could be made for them than that which had been made by the hon. Member who had just addressed the House (Mr. Corry). The hon. Gentleman, in regard to this question, was placed in a somewhat peculiar position, and had opened out a wide field of speculation. The proposal of the hon. Member for Cavan (Mr. Biggar) was to popularize the constitution of the Belfast Harbour Board, and to make that body truly representative of the feelings of the electors of that town, by substituting the Parliamentary franchise for the fancy franchise which now existed. The hon. Member was himself returned to that House by the Parliamentary franchise. He was elected Member for Belfast by occupiers who were rated at £4 per annum; and, seeing that a £4 Parliamentary franchise returned the hon. Gentleman to an Assembly much more dignified and important than that of the Belfast Harbour Board, it most illogical, and came with a bad grace, he thought, from the hon. Member, that he should object to such a franchise in the case of the Harbour Board itself. He thought his hon. Friend the Member for Cavan, in his present action, had shown a superiority over Party feeling, which stood in agreeable contrast to most of the proceedings of that House. His hon. Friend had not even the hope, if his proposition were adopted, that it would have the effect of securing upon the Harbour Board the election of representatives who would act in consonance with his own feelings; but it would probably consist, as the Parliamentary Representatives of Belfast consisted, of members of the Tory Party. His hon. Friend, however, was quite willing to accept that result; and all he desired was to popularize the constitution of the Belfast Harbour Board, and make it more representative of the feelings of the town. The hon. Member for Belfast said the promoters of the Bill were much surprised at the interposition of the hon. Member for Cavan. He (Mr. Sexton) would only say that the promoters of the Bill were very easily surprised, because they must be aware that his hon. Friend had opposed another Bill last year relating to the functions of the Board; and he would take the liberty of saying that it was, in a large degree, due to the action of his hon. Friend that the present Bill had been brought in. [Mr. CORRY: No!] He was entitled to that presumption. His hon. Friend drew attention to the character of the proceedings of the Harbour Board last year; and the action that was then taken by his hon. Friend had, no doubt, led this sluggish body to adopt its present course. His hon. Friend had denounced the mismanagement and jobbery of the Harbour Board; and the hon. Member for Belfast confined himself tersely to a flat contradiction. Now, it had always been the custom, when the Board had delicate affairs to deal with, to conduct them in private by means of Committees. It was well known that, in regard to the tariff they established, and the incidence of the dues and rates, the Board always remembered the interests of individual members of their own body much more than the interests of the public. The Board had most important functions to perform. Only last year it received authority to borrow nearly £1,000,000 sterling, which was to be repaid by levying dues on the trade in the North of Ireland. Belfast was the most important port, or nearly so, in Ireland; and the Harbour Board necessarily exercised a powerful influence upon the commerce and general interests and progress of the Province of Ulster. It was undesirable, and contrary to the spirit of the age, that such large functions should be confided to a Board elected upon a fancy franchise. He objected to three points raised in the Bill. He objected to the qualification of the voter; and if hon. Members would turn to page 6 of the Bill, they would find that a person, in order to vote in Belfast for the election of the members of the Harbour Board, must be rated to the relief of the poor on a net annual value, according to the Government valuation, of not less than £20. In other words, a person rated to the relief of the poor to the amount of £4 a-year could vote for a Member of Parliament, and for persons to transact the business of that Assembly, which, in point of importance, both financially and otherwise, far transcended that of any other Assembly in the country; but if he had to vote for a member of the Harbour Board, a body performing local functions only, he was required to possess a qualification five times higher than that of the Parliamentary franchise. If the Colleague of the hon. Member for Belfast (Mr. Corry) were present, he would ask him to address himself to the *rationale* of the question, and show why this should be so. The reform proposed by his hon. Friend the Member for Cavan need not be looked upon as radical, revolutionary, or dangerous. The Bill gave a second qualification to the owners of ships. He (Mr. Sexton) did not object to that; but he did object to the multiple vote, by means of which the owners of vessels of 50 tons register had one vote, while the owners of 100 tons had two, and so on up to 1,000 tons, which entitled the owner to six votes. He did not quarrel with the provision for the representation of the shipping interest, because the Board was a Harbour Board, and would have to deal with matters affecting shipping. It was, therefore, not improper that persons connected with shipping should have special advantages in voting. What he did quarrel with was the fixing of a sliding scale of voting in respect to rating. A person rated at £20 had one vote; while a person rated at £250 had six votes. That was entirely opposed to the principle on which the public life of this country was managed; and he failed to see why a man occupying a £250 house in Belfast had a more direct interest in the proceedings of the Harbour Board than a person occupying a £20 house, or was able to enjoy a more intelligent appreciation of the business of the town. Then, again, the qualification of members of the Board, on page 4 of the Bill, was extraordinary. Not only was the Board guarded by the fence put around them of the fancy franchise, but a second line of fortifications was carefully placed around this precious financial citadel of Belfast. No one could be a member of that secret assembly unless he possessed one of three qualifications. He must be rated to the relief of the poor to the extent of £60 a-year, which meant a rental of about £100, and confined the qualification to what might be called the aristocracy of Belfast. A second qualification was conferred upon the joint owners of property, provided the voter's share amounted to the annual value for rating purposes of £60. There was also a third qualification, which consisted in the possession of landed estate worth £200 a-year, or of personal estate of the value of £5,000, either in the man's own right, or in the right of his wife. He contended that these provisions made the Bill altogether illusory; and although the Harbour Commissioners of Belfast, in introducing the measure, might have kept their promise to the ear, they had broken it to the hope; and the Board still remained, to all intents and purposes, a close Corporation, from which the legitimate influence of the town of Belfast was altogether excluded. He was of opinion that the proposal of his hon. Friend the Member for Cavan was a reasonable one, and one that deserved the attention of the House, because it was an attempt to get rid of a jurisdiction, unsuitable to the public interests, and to the spirit of the age.

Mr. J. N. RICHARDSON said, he would trouble the House with but very observations. His first point was this—that there was no articulate opposition from the town of Belfast against the Bill. Now, the town of Belfast possessed a population of 203,000, and it was the largest and most important place in the North of Ireland. Nevertheless, no opposition to the Bill proceeded from that town; although it could not be said that the inhabitants were not fully able to take care of their own interests in the matter. In the second place, the franchise, which the Bill was introduced to alter, was practically reduced by the Bill from a £60 rating to one of £20. In the third place, this iniquitous and scandalous Board, for so it had been alluded to that day—[Mr. Biggar: No.] He was glad to hear that denial; for he had understood the hon. Member for Cavan (Mr. Biggar) to say that the proceedings of the Board had been of a most iniquitous character. Now, only a few years ago, the Board possessed so much of the confidence of the public, that it was able to withdraw its 4½ per cent Debenture Bonds, and re-issue Bonds at 4 per cent instead—the Bonds being taken up at par. Indeed, many people of the town of Belfast were glad to get them. Having brought these points before the House, he did not propose to occupy its attention further than to express his feeling that it must be deeply gratifying to the people of Belfast to see the interest taken in their town by hon. Members from the South of Ireland. The hon. Member for Cavan, as a Belfast man, had, undoubtedly, a right to interpose; but he protested against local matters being interfered with, and discussed by hon. Members who lived at a considerable distance from the place. If his hon. Friend the Lord Mayor of Dublin (Mr. Dawson), or any other hon. Member, introduced a Bill for regulating local matters connected with the City of Dublin or of Cork, he (Mr. J. N. Richardson), and other Members representing the North of Ireland, would give to such a measure a cordial support. He trusted the House would pass the Bill, which came before it practically unopposed.

MR. JUSTIN M'CARTHY said, that his hon. Friend opposite the Member for Armagh (Mr. J. N. Richardson) had contrived to lay down and introduce an entirely novel proposal in legislation—namely, that the interest which an hon. Member took in any Private Bill under the consideration of the House, and his conduct with regard thereto, must be regulated by the radius of the distance of the constituency he represented from the place affected by the measure. He (Mr. Justin M'Carthy) contended that any hon. Member had a perfect right to discuss every Bill brought before the House; and, whether it was a Private or a Public Bill, it was his duty to endeavour to improve it, if possible; and if it was based upon obsolete principles, then hon. Members ought to oppose it as far as they possibly could. His hon. Friend opposite, to whose speech he had listened with some interest, had adduced nothing in favour of the Bill, except that there had been no articulate opposition against it on the part of the ratepayers of Belfast. The same thing was said by his hon. Friend the Member for Belfast (Mr. Corry), whose sole defence of the measure was, that it had not been opposed by the ratepayers of the city which his hon. Friend represented. The hon. Member seemed, however, to forget that the ratepayers could have no *locus standi* before the Committee for the purpose of opposing the Bill. He (Mr. Justin M'Carthy) doubted very much whether the attention of the ratepayers of Belfast had been called very closely to the provisions of the Bill. Certainly, if the ratepayers of Belfast had had the provisions of the Bill brought fully under their knowledge, they were not so intelligent a body as he supposed them to be. The Bill contained some of the most objectionable and some of the most obsolete principles of the old forms of legislation it was possible to mention. To begin with, he objected to the qualifications sought to be established by the Bill; he objected to the qualification for voting at the election of the Commissioners, as well as the qualification of the electors themselves. The Bill was a measure to amend the constitution and election of the Belfast Harbour Board Commissioners; but it contained the vicious principles which prevailed in the old Corporations, and which had led to nothing but monstrous extravagance, jobbery, and corruption. Powers such as those proposed to be conferred upon the Harbour Board would inevitably degenerate into mismanagement, if not into something worse. Upon all those grounds, and upon others which he would not trouble the House by explaining, he strongly opposed the Bill. It went directly in the teeth of all the principles aimed at by Parliament with regard to Local Government. It proceeded upon the principle that a body of experts—a select body of persons concerned in a particular trade or calling—were the only persons who could properly understand the interests of Belfast, and manage its affairs. He strongly objected to the principle of permitting men to have multiple votes, on the ground that it was opposed to every principle of modern progress. He supposed that, on the whole, the inhabitants of Belfast were the best judges of their own interests. It was not merely the people connected with the trade of Belfast—the exporters, and importers, and the owners of the shipping, who best understood the interests of Belfast, but the whole body of ratepayers. They were the best judges of their own interests, and should control the election of the Harbour Commissioners.

SIR ARTHUR OTWAY said, he thought it was somewhat inconvenient, at a time when they were assembled to dispose of important Public Business, that the House should be led into a long discussion on a Bill of a very humble character, upon the points which had been raised by hon. Gentlemen opposite. He did not propose to follow those hon. Gentlemen, or to take up the time of the House, by entering into the large subject which had been raised. The history of the Bill itself was an extremely simple one, and what it proposed to do might be stated to the House in a very few words. The measure was certainly not of the character described by the hon. Gentleman who had just addressed the House (Mr. Justin M'Carthy). He (Sir Arthur Otway) had been somewhat surprised to hear the Bill characterized as one of an objectionable character, having no advantages whatever attached to it. Hon. Members who so described the Bill omitted to mention that the Bill, for the first time, conferred a very much lower franchise upon the voting for the Belfast Harbour Commissioners than ever existed before; that this franchise was exercised under the protection of the ballot; and that there were also other advantages, in a direction which he had supposed would commend itself to hon. Members opposite. One of these advantages was that it increased the number of Commissioners from 15 to 21. The Bill had already passed through the House of Lords, and it had come before this House practically unopposed. He had had some conversation with the hon. Member for Cavan (Mr. Biggar) in regard to the provisions of the Bill and in consequence of that conversation he had requested the promoters to afford further information from Belfast upon the subjects mentioned by the hon. Member for Cavan. The result was that a gentleman came over from Belfast, and gave evidence before the Committee of so conclusive a character, in reply to the observations of the hon. Member, that the Committee had no hesitation in passing the Bill exactly as it stood. In order that the House might not be led away in regard to the necessity of enlarging the franchise, and the iniquitous character of the present restrictive franchise, he would tell the House what had been done. The qualification for voting, before the introduction of the Bill, was based upon the police rate, and really amounted to a £40 or £50 occupation qualification. What was done by the Bill was to lower this qualification down to a £20 occupation franchise, and, as he had stated, to extend the number of Commissioners from 15 to 21. Furthermore, the protection of the ballot was given to the voter; and, therefore, a great step was taken in the direction which he thought hon. Members sitting on the other side of the House would desire. Objection was taken now to the qualification of the Commissioners, and to the manner in which they conducted their business. As far as he understood, no complaint had ever been made against the action of the Commissioners.

Mr. BIGGAR said, words had been attributed to him by the hon. Member for Armagh (Mr. J. N. Richardson), which he had not used. He had certainly not approved altogether of the action of the Commissioners; but he had not characterized that action as scandalous and iniquitous.

Sir ARTHUR OTWAY said, that no complaint of the past action of the Commissioners was made to the Committee, either in the House of Lords or in the House of Commons. And the Commissioners themselves seemed disposed to act liberally, because it appeared that they had put themselves into communication with a hostile body appointed by the ratepayers, in order to influence them in their action, and they had entirely adopted the proposal made by that Committee of ratepayers. When the hon. Member for Cavan (Mr. Biggar) complained of the extent of the qualification required on the part of the Commissioners, he omitted to tell the House how very important were the duties confided to the Commissioners. The electors of Belfast had very little to do with the vast property entrusted to the Commissioners. The Commissioners were the holders of Bonds amounting to nearly £1,000,000 sterling; and they had borrowed a sum of £750,000 upon those Bonds, with which the electors of Belfast had nothing whatever to do. And it was a sound principle that gentlemen who had to administer a large fund like this should be themselves men of substance, in whom those who lent their money could have perfect confidence. He would not trouble the House with further observations. The Bill, as he had said, was unopposed. He was far from underrating the opposition of the hon. Member for Cavan; but, up to that moment, the hon. Member was the only opponent who had appeared in any way against the Bill. There had been no complaint whatever on the part of the ratepayers of Belfast. No one appeared to oppose the Bill before the Committee; and he appealed to the House with confidence to support the decision of the Committee, which he was perfectly certain was a just and proper one.

DR. COMMINS said, he thought the thanks not only of the House, but of the inhabitants of Ulster and of Ireland generally, were due to the hon. Member for Cavan (Mr. Biggar), for having raised the question he had brought before the House that day. The Bill was one which he (Dr. Commins) thought it would be a great misfortune to the ratepayers of Belfast should be allowed to pass *sub silentio*, and to the ratepayers and traders of Ireland generally. It had been urged by the hon. Member for Armagh (Mr. J. N. Richardson), and the Chairman of Ways and Means (Sir Arthur Otway), that no opposition against the Bill came from the inhabitants of Belfast. He wanted to know if hon. Members were acquainted with the way in which Private Bills, emanating from corporate bodies, were got up? The ratepayers, who were the constituents of such Corporations, knew nothing whatever about such Private Bills. Generally, a Committee of a Corporation was appointed, consisting of two or three members. Recommendations were made by the Town Clerk or the Law Clerk, and considered by the Committee; but the outside public were never informed of them. A Bill was drawn up and promoted; but the public knew absolutely nothing whatever about it, and had no opportunity of expressing an opinion upon it. Some years ago, Corporations were in the habit of introducing Bills containing rating provisions so much opposed to the interests of the ratepayers, that at last peoples' patience was exhausted, and the result was the passing of the Public Funds Act, which required that a Corporation, before introducing such a Bill, should consult the wishes of their constituents; and now that such a provision was necessary, he should like to know how many Bills of this character had received the sanction of the constituencies in England? An endeavour to introduce them had been tried dozens of times; but he did not remember a single instance in which a constituency had given its consent to a proposal in a Private Bill to give additional rating powers to a Corporation. So much, then, for the argument that there had been no opposition to the Bill from the ratepayers of Belfast. If the ratepayers of Belfast, or even the constituency of the Belfast Harbour Board, narrow as it was, had been asked to give an opinion under conditions similar to those required by the Public Funds Act, this Bill would have been condemned, and condemned with such a consensus of opinion that it never would have been brought before the House. What was it that the Bill proposed to do? He was not acquainted with the whole of the provisions of the Bill; but, as far as he was able to judge, especially when he recollected the qualifications for the Commissioners of the Harbour Board, it was, to all intents and purposes, a shipowners' Bill. He had thought they had got beyond the age for giving a monopoly to any particular trade. This, however, was a Bill which gave a monopoly of the management of the harbour and trade of Belfast to the shipowners, and the shipowners alone. The qualification for serving on the Board was a qualification, practically, of shipowners, and shipowners alone; and so large was the amount of the interest required for admission to the register that the qualification of the electors of the Mersey Docks and Harbour Board was not one-tenth of what was proposed to be established in the case of Belfast. In the City of Liverpool, any person who imported or exported goods paying £10 in harbour dues had a vote; and, instead of having a shipowners' Corporation, they had a Corporation upon which the influence of the importer and exporter of goods was allowed to make itself felt. The only qualification was that the person should contribute, as an importer or exporter of goods, the sum of £10 per annum to the Mersey Docks and Harbour Board Dues. Of course, any shipowner who was a large importer or exporter obtained due and proper representation on his own account; but, in the case of this Bill, there was no provision whatever to allow an importer or exporter of goods to have a voice in the management of the affairs of the Harbour of Belfast; and even in the case of a shipowner himself the qualification was nearly 10 times as high as in Liverpool, with its £200,000,000 worth of property, with its debt of more than £20,000,000, and with an annual rating or receipt of Dock Dues to the extent of nearly £1,000,000 a-year. In the case of Liverpool, interests of that magnitude were entrusted to persons possessed of mercantile knowledge, as importers or exporters, and with them rested the management of the docks and harbour; whereas, in this case, they had shipowners, and shipowners alone. Of course, it was only too probable, when any particular trade required regulating, that persons who were interested in that trade would pass regulations in their own favour, and against the public interest. That was the only principle of the Bill, as far as any principle could be traced in it; and he thought the proposal of his hon. Friend the Member for Cavan to extend the area of the electoral franchise, and to secure that the persons elected by the Board should be drawn from a wider field, eminently entitled his hon. Friend to the thanks of the House and of the people of Ireland.

Mr. T. A. DICKSON said, that when this Bill was being promoted last year by the Belfast Harbour Board Commissioners, a deputation of ratepayers waited upon the Harbour Board and asked that the qualification should be reduced to £20. The Harbour Commissioners at once acceded to the request of the ratepayers, and the result was the Bill now before the House, which directly represented the views of the ratepayers; and in all its stages it had been an unopposed Bill. It had passed through the House of Lords without opposition; and he need not tell the House that the merchants and traders of Belfast were fully alive to their own interests, and would not have allowed the Bill to pass unopposed if they considered that in any way it infringed upon their rights, or was in opposition to their wishes. He had no direct connection with the Harbour of Belfast; but, as an Ulster man, he was proud of Belfast and its harbour. His connection with the Harbour of Belfast was that he was called upon to pay heavy dues every week; but, so far as he was concerned, as one of the merchants of Ulster, he entirely approved of the Bill, and considered its provisions fair and moderate. He was also of opinion that, if the views which the hon. Gentleman (Mr. Biggar) proposed were adopted, it was perfectly plain that the Belfast Harbour Board would not be able to borrow £1,000,000 of money and maintain their Bonds in their present position. As to the qualification of £20, that qualification was lower than several Harbour Bills which had lately passed the House. In the case of Dumbarton, the qualification was not a rating qualification at all, but was based upon the payment of Harbour Dues. In order to have a vote in Dumbarton, the ratepayers must have paid £5 in dues; in Greenock, £10 in dues; in Dundee, £10 in dues; and in Leith, £5 in dues. All those qualifications were higher and more disadvantageous than the present Bill provided for Belfast. He should like to tell the House the extraordinary progress which the views of the hon. Member for Cavan had made during the last 12 months. Last year the hon. Member was in favour of a £10 rating qualification. When upstairs a short time ago, before the Chairman of Ways and Means (Sir Arthur Otway), he suggested an £8 qualification; and now, only a few days later, he asked for a £4 qualification. He (Mr. T. A. Dickson) only referred to this to show the rapid progress which the hon. Member was making as to the reduction of the franchise in connection with the Belfast Board. He had no political sympathy with Belfast; but he knew that the Harbour Board Commissioners were men of high intelligence and commercial honour—men who had made Belfast Harbour, and Belfast itself, a credit to Ulster and to Ireland. The right hon. Member for Carlow (Mr. Dawson) said he was standing up for the rights of the people of Belfast. He (Mr. T. A. Dickson) advised the right hon. Gentleman to allow the people of Belfast to stand up for their own rights, and to allow the ratepayers of Belfast to have a little of that Home Rule which he (Mr. Dawson) claimed for Ireland. Hon. Members opposite talked about the great abuses and jobbery of the Belfast Harbour Board. Did the House think there was any foundation for such charges, when, as he had just said, the Bill had passed through all its stages unopposed? Had the House no respect for the intelligence of the commercial community of Belfast? Did they think the people of Belfast would have allowed such a Bill to have been brought in by persons who were open to the charge of jobbery and corruption? No such charge had ever been made against them, and such an imputation was utterly and entirely devoid of foundation.

MR. PARNELL said, he was not surprised that the hon. Member for Tyrone (Mr. T. A. Dickson) should take the line he had taken, and that he should have trotted out, for the delectation of the House, all the stale arguments, advanced years ago, on behalf of the old unreformed Corporations. They were arguments which, in the case of these Corporations, had, in many instances, proved useless; and they were arguments which he (Mr. Parnell) trusted would prove wholly useless in respect to this old unreformed Corporation of the Harbour Commissioners of Belfast. He was not surprised that the hon. Member should have taken that line, because it showed the exact amount of confidence he entertained in the great principle which was supposed to be the future platform of the Liberal Party—namely, the establishment of household franchise in the county.

MR. T. A. DICKSON said, he wished to correct the mis-statement of the hon. Member for the City of Cork (Mr. Parnell).

MR. SPEAKER: The hon. Member for the City of Cork is in possession of the House; and the interruption of the hon. Gentleman is irregular, unless he desires to make an explanation, which, no doubt, the House will be ready to hear.

MR. PARNELL said, the hon. Gentleman (Mr. T. A. Dickson) would have an opportunity of correcting him as soon as he (Mr. Parnell) had finished what he had to say. It was not seemly on the part of the hon. Member to interrupt him before he had finished a sentence. He could only judge, by the public actions of the hon. Member, and the feeling of the present body of electors, which the hon. Member evidently dreaded, that he objected so strongly to the lowering of the franchise, no doubt, from a wholesome fear that it might deprive the county of Tyrone of the hon. Member's valuable services. The Chairman of Ways and Means had complained of the course taken by his hon. Friend the Member for Cavan (Mr. Biggar), in introducing this question at a moment when other Public Business was awaiting consideration. Unfortunately, that was the only opportunity hon. Members from Ireland had of directing attention to the very glaring abuses which a Liberal Government and a Liberal House of Commons were asked to sanction by this most useless Bill. The hon. Baronet the Chairman of Ways and Means would recollect that he himself had not scrupled the other day to deprive Irish Members of the opportunity which had fallen to their lot, owing to the chances of the ballot, of carrying a most important Irish measure. [*Cries of* "Question!"]

MR. SPEAKER: I must call upon the hon. Member for the City of Cork to confine himself to the Question before the House.

MR. PARNELL said, he had merely wished to refer to the matter.

MR. SPEAKER: It is quite irregular to refer to it.

MR. PARNELL said, that, as an excuse for his conduct, if the House would allow him, he wished to make an explanation.

MR. SPEAKER: I must call on the hon. Member to keep to the Question before the House.

MR. PARNELL said, he had no intention of continuing to discuss the point, after having been requested by the Speaker to desist; but, in courtesy to the Speaker and the House, he wished to explain that he had considered himself in Order, because the Chairman of Ways and Means had himself referred to the matter. In obedience, however, to the direction of the Speaker, he should not, for a single moment, desire to continue the topic further. He was surprised that a Gentleman of the advanced Liberal views of the hon. Member for Rochester (Sir Arthur Otway), and who had hitherto been so consistent in the advocacy of those views, should lend the influence which his high position as Chairman of the Committees of the Whole House undoubtedly gave him to obstruct and impede the ratepayers of Belfast, and the humbler portion of the community, in obtaining a much-needed reform in the direction in which the Liberal Party had been pledged, over and over again, as deeply as they possibly could be. The Bill, as it stood at present, was practically illusory, as regarded its object of opening up the franchise, and rendering it possible for all classes and persons to be represented upon the Harbour Board of Belfast, who had not hitherto succeeded in obtaining such a representation. What was the position they urgently desired to remedy, in regard to the Harbour Board, and the constitution of that Board, and which they thought the House ought to assist them in remedying, if they had any real regard for the principles of justice and liberty? The position of the Harbour Board of Belfast was that its constitution was of such a character that, although the hon. Member for Tyrone (Mr. T. A. Dickson) did not scruple to appeal to the suffrages of the Catholic electors, at the last General Election there was not a single Catholic out of the 15 members of this Harbour Board Commission. Nevertheless, the hon. Member came forward to support a measure of pretended reform of this kind, which would not, actually or practically speaking, make the slightest alteration in the constitution of that Board. The Chairman of Committees told them that the proposed franchise amounted to about £20, based upon the police rate. But anyone who had the slightest acquaintance with rating in the towns of Ireland knew that a rating occupation of £20, based upon the provisions of the present Bill, would practically mean a rental of £30 or £40. No person would obtain a house rated at £20 in the City of Belfast for a much less rent than £30 or £35; and he would sometimes have to pay more, so that, practically speaking, the reduction of franchise, which the promoters of the Bill put forward as a great concession to Liberal feeling, only amounted to a reduction of about one-seventh in the value of the qualification, at present required for a vote for the Board of Commissioners. Now, who were the people interested in the Harbour of Belfast? It was not only the large merchants, and the large shipowners, like the hon. Member for the County of Tyrone (Mr. T. A. Dickson)—it was not this class only for whom he specially pleaded; but he (Mr. Parnell) submitted that the tendency of modern thought and modern legislation had indubitably established the principle that everybody who lived in a district governed by local government was just as much interested in the purity and economy of that local government as the rich and the possessors of monopolies, such as the shipowners and the great merchants, for whom the hon. Member for the County of Tyrone had pleaded. He submitted that every shopkeeper in Belfast, who dealt in imported or exported goods, every artizan or mill-hand, who used articles of import, or produced articles for export, was just as much interested, from his own point of view, in the prosperity, good management, and economy of governing the Harbour of Belfast, as the great merchants and the large shipowners and the rich shopkeepers, who had hitherto exclusively maintained a monopoly over the control of this most important port. He could not imagine, for a moment, how the House deliberately, in the present day, could sanction the vicious principles contained in the Bill. The hon. Member for Tyrone said that a deputation of ratepayers came to London on the subject last year, and recommended that the franchise should be lowered to £20. But of whom did the deputation consist? It consisted of the very rich men, whose monopoly they were now trying to destroy. It was a self-constituted deputation, not even nominated by the Corporation, elected themselves by a franchise already sufficiently high—namely, an £8 franchise. It was a self-constituted deputation selected at hap-hazard. It came over to London, and made the most pernicious proposition which had been embodied in the Bill. The hon. Member for Tyrone also made a most startling assertion to the House which was entirely inconsistent with the facts of the case. He (Mr. Parnell) could not imagine how an hon. Member so well acquainted with the North of Ireland, and so much interested in the prosperity of the Port of Belfast, should have allowed himself to have been so much misinformed in regard to matters which ought to come under his everyday cognizance. The hon. Member told the House that, if the franchise were lowered, the Harbour Commissioners would not be able to borrow money at so low a rate of interest as at present. What were the facts of the case? The Town Council of Belfast, which was elected upon a rateable value of £8, although £20 was the figure named in the Bill for the election of Harbour Commissioners; the Water Commissioners, who were also elected on a rateable value of £10; both of these bodies were able to borrow money at exactly the same rate of interest as the Harbour Commissioners—namely, 4 per cent per annum. Reasoning from analogy and the probabilities of the case, surely if these two Bodies, elected on so much lower a franchise, were able to borrow money at 4 per cent, the Harbour Board of Commissioners, if the franchise were similarly reduced in their case, would be able to borrow money on the same terms. It had always been understood that the Harbour Board of Belfast was elected from the Protestant or Orange section of the community, and that that rendered the lenders of money disposed to consider the security much better, in regard to the payment of interest on the loans which they might advance from time to time. The present franchise given by the Bill would only result in complicating the present state of things. The Bill was altogether illusory. It was no reform at all, but a sham. He would like to have had an opinion from the Government upon the question; and he thought the House were entitled to hear the views of the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain). He regretted very much that the right hon. Gentleman was not in his place. He should also like to have had an opinion from the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland, who, in the last Parliament, used annually to bring forward a Motion for the reduction of the present county franchise to the level of the household franchise in boroughs. If the Bill had been one dealing with the Port of Liverpool, or any other of the great English ports, he presumed the House would have had the opinion of the President of the Board of Trade; and he regretted that they had not been favoured, not only with the views of the right hon. Gentleman on the present occasion, but also with those of the Chief Secretary to the Lord Lieutenant, who, he should have thought, would have considered it desirable to have been present during the discussion of this most important matter. There were very important questions which must crop up from time to time, as Harbour Boards came before the House with propositions for increased powers. Attention had already been called to the example of Liverpool, where the franchise was vastly lower than in the present case. A considerable number of the Harbour Boards in Ireland were very badly constituted, both as regarded the method and the franchise provided for returning the members of the Board. The Bill would perpetuate the old and vicious principle of the multiple vote; and it abounded with many other imperfections. The subject was of so much importance to the people of Belfast, and of such value in indicating the tendencies of future legislation for Ireland, that it would not have been right for his hon. Friend, or for those hon. Members who were associated with him, but, on the contrary, they would have neglected their duty, if they had lost the opportunity, which the present proceeding afforded them, of protesting with all their might, and using all the means within their power, against the passing of a Bill which perpetuated so vicious a principle, and sanctioned so fraudulent a monopoly.

Question put.

The House *divided:*—Ayes 215; Noes 21: Majority 194.—(Div. List, No. 131.)

Main Question put, and *agreed to.*

Bill, as amended, *considered;* to be read the third time.

METROPOLITAN BOARD OF WORKS (DISTRICT RAILWAY) BILL

(*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir James M'Garel-Hogg.*)

MR. MONK said, that, after the time that had already been spent upon Private Business, he would not now trespass long upon the attention of the House. Having, however, given Notice yesterday of opposition to the Bill, he thought it was only right to say a few words to explain the reasons why he gave such Notice. As the House granted a second reading to a Bill of a similar nature yesterday, without opposition, he had no hope or expectation that the House would throw out this Bill on the second reading; and, therefore, he would say at once he should not put the House to the trouble of dividing. He did think that when a Bill of this nature was brought in by the Metropolitan Board of Works, the ratepayers of the Metropolis ought to know something about the measure. Now, this Bill proposed, in Clause 5, that the ratepayers of the Metropolis should pay not only the whole expense of erecting the ventilators, which had proved of so much use during the short time they had been in operation, but that they should pay the whole of the cost of removing them. That was a reckless expenditure, in his opinion, and one which it was very hard that the ratepayers should be called upon to bear. Personally, he had very little confidence in the Metropolitan Board of Works; and, with all respect to the hon. and gallant Baronet the Member for Truro (Sir James M'Garel-Hogg), he had very little confidence in him as the Chairman of the Board. He would tell the House why. His hon. and gallant Friend had, year after year, opposed Motions which he (Mr. Monk) and others had brought forward in the House for referring the Annual Bill of the Metropolitan Board of Works to a Committee of the House. He (Mr. Monk) had always held that the large expenditure incurred by the Metropolitan Board of Works ought to be submitted to the examination of a Committee of the House of Commons; and the House would remember that in 1881—two years ago—the late Lord Frederick Cavendish gave his assent to the Bill of the next Session—namely, last Session—being so referred. But his hon. Friend the present Financial Secretary to the Treasury (Mr. Courtney), when he succeeded to the Office, refused his assent to that course being followed last year. He (Mr. Monk) had a strong objection to any expenditure being incurred by the Metropolitan Board of Works which was not audited by the House. Yesterday, the London Commissioners of Sewers obtained the second reading of a Bill, the effect of which would really be to aid in poisoning the millions of persons who travelled by the Metropolitan District Railway. He had had some little experience of travelling on the Underground Railway, both before and since the ventilators had been erected; and he said, without fear of contradiction, that there was now a much purer atmosphere in the tunnels than there was before the ventilators were constructed. He knew there were some hon. Gentlemen who did not credit that statement; but there were a great many people who travelled by the line, and who had acknowledged with gratitude the efforts made by the District Railway to improve the atmosphere in the tunnels. Having made these few observations, he merely desired, on behalf of some of the ratepayers of the Metropolis, to enter a strong protest against their money being squandered in the way proposed by the Metropolitan Board of Works, and to hope that the Bill would never come back to the House from the Select Committee to which it would be referred.

Sir JAMES M'GAREL-HOGG said, he was very sorry indeed that he did not possess the confidence of his hon. Friend (Mr. Monk). He was happy to say, however, that he possessed the confidence of other people, and had done so for a considerable time. As regarded the Metropolitan Board of Works, he could only say they endeavoured to do their duty. They represented the Metropolis; they carried out their duty to the best of their ability; and they never spent a penny more of the public's money than was necessary. The question of the Annual Money Bill was not now before the House, though, if it were, it would simply be found to be a recapitulation of what both Houses of Parliament had passed year after year. He maintained there was no necessity whatever to send it to a Select Committee. As to the proposed expenditure, he thought the money of the ratepayers would be remarkably well spent in defending their own property. He said yesterday, and he was sorry to have to repeat it, that, considering the original cost of the Embankment and Gardens was more than £1,500,000, £40,000 would be very well spent in preventing them from being desecrated and destroyed. As a matter of fact, in whatever the Metropolitan Board of Works were now doing, they were simply carrying out the instructions of the House. In accordance with the views of the Select Committee of the House, the Board were now engaged in making experiments with the object of showing that the present ventilators were not at all needed, because the ventilation of the railway could be carried out in a much better way.

Question put, and *agreed to.*

Bill read a second time, and *committed.*

MOTION.

NEW WRIT FOR THE COUNTY OF MONAGHAN.—RESOLUTION.

Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a New Writ for the electing of a Member to serve in this present Parliament for the County of Monaghan, in the room of John Givan, esquire, who since his Election for the said County hath accepted the office of Crown Solicitor for the Counties of Meath and Kildare."—(*Lord Richard Grosvenor.*)

MR. CALLAN: Mr. Speaker, I think, before the Motion is agreed to, and this Writ is issued, we should enter into a discussion on the Parliamentary Elections (Corrupt and Illegal Practices) Bill, in order that attention may be drawn to the manner in which the principles of the Bill, especially in respect of lawyers, have been thrown aside by the Government. These hon. and learned Gentlemen, who spent a large amount of money to get returned, are rewarded cent per cent for their expenses by appointments being given to them, as has been done in this and other instances. In the county of Tyrone, a Gentleman, who went into an expensive contest, was rewarded in 12 months with an Office worth £3,000 a-year; and we have here now a Gentleman who contested the County Monaghan, after three years given a situation, and pitchforked into a county with which he has had no previous connection; who has not even an extensive practice as a criminal lawyer; and whose only possible qualification is that he spent money extensively in a contest on behalf of the Liberal Party.

MR. BIGGAR: Mr. Speaker, I would like to corroborate more or less—and very much more than less—what has been stated by my hon. Friend the Member for Louth (Mr. Callan), with regard to the system pursued in reference to Government appointments in Ireland. Now, if the Government are really serious with regard to this subject of extending the Parliamentary Elections (Corrupt and Illegal Practices) Bill to Ireland, with the view of keeping down the expenditure——

MR. SPEAKER: The hon. Member for Cavan (Mr. Biggar) must confine himself to the Question before the House, which is, whether the Writ shall be issued? He cannot discuss the Corrupt Practices Bill. That matter will come under the consideration of the House later on in the present Sitting.

MR. BIGGAR: Very well, Sir. I will confine myself to the issue of the Writ for Monaghan; and I wish to endorse what has been said as to the very expensive expenditure that was incurred by hon. Members sitting for this county; and it seems to me, Mr. Speaker, that the Government are doing with one hand what they are undoing with the other. They are occupying the time of the House in passing a Bill to keep down the expenses of elections; while, at the same time, they are giving large rewards to parties who spend money in the most extravagant manner in their interest. I think it would——

MR. SPEAKER: The hon. Member is not attending to my directions, and confining himself to the Question before the Chair, which is, whether the Writ shall or shall not go?

MR. BIGGAR: I will come to the point, Mr. Speaker; and in accordance with your suggestion, and in accordance with the suggestions of common sense and reason, I beg to move that the issue of the Writ be suspended until a decision has been come to by the House regarding the Parliamentary Elections (Corrupt and Illegal Practices) Bill now before Parliament.

MR. SPEAKER: Will the hon. Member be so good as to bring up his Amendment?

Amendment *brought up*, and read.

MR. SPEAKER: Who seconds the Amendment?

MR. SEXTON: I have great pleasure in seconding the Amendment, for these reasons. I do so, in the first place, because it will allow of a decision upon the Parliamentary Elections (Corrupt and Illegal Practices) Bill being arrived at; and, therefore, I think it is desirable that the issue of the Writ should be postponed until we know the intentions of the Government regarding future elections of this sort in Ireland; secondly, it will enable us to inquire into the expenses of this hon. and learned Gentleman at the last Election; and, thirdly, in order that we may have time to inquire whether this hon. and learned Gentleman is the author of the famous placard at the Tyrone Election—*Vote for Porter and Fair Rents,* which raised the banner of political corruption in Ireland.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the issue of the Writ for the County of Monaghan be suspended until the decision of Parliament has been had regarding the Parliamentary Elections (Corrupt and Illegal Practices) Bill now before this House,"—(*Mr. Biggar,*)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a New Writ for the electing of a Member to serve in this present Parliament for the County of Monaghan, in the room of John Givan, esquire, who since his Election for the said County has accepted the office of Crown Solicitor for the Counties of Meath and Kildare.

QUESTIONS.

—:0:—

THE IRISH LAND COMMISSION (SUB-COMMISSIONERS)—CASHEL UNION.

Mr. MAYNE asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to a recent resolution of the Board of Guardians of the Cashel Union, declaring—

"That we hereby condemn the practice of the Irish Land Commissioners of this district, of sending the application for a fair rent from this union to be heard in Tipperary, as a great injustice and hardship to the tenant farmers of this union, and imposing on them extra cost, trouble, and inconvenience, especially as there is a spacious court-house in Cashel, where general quarter sessions are held, as well as ample accommodation in the town for the Commissioners, solicitors, valuators, and applicants;"

and, whether, considering that portions of the Cashel Union are nearly forty miles from Tipperary, arrangements will be made that, for the future, cases from this union shall be heard in Cashel, and thus save the farmers of the district the great inconvenience and expense involved in the present arrangements?

Mr. TREVELYAN: Sir, the Land Commissioners arranged the sittings of this Sub-Commission according to the best of their judgment and ability, having regard to the general convenience and state of business. They consider that much loss of time would have been involved by selecting for the purpose more than two or three towns in each county in which the Sub-Commission acts. However, it has power to adjourn to any other town within the county, and may therefore, on application being made to it when sitting at Tipperary, adjourn to Cashel for the convenience of parties whose holdings are near that town. I have answered Questions on this subject more than once, and am unable to give any further information upon it.

POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

Mr. GRAY asked the Postmaster General, Whether, in the event of the Government deciding to use for the mail service between Holyhead and Kingstown vessels inferior in length, beam, draught, tonnage, or horse-power to those now employed, he will communicate such intention to Parliament before the Contract is signed or the Government absolutely committed to it?

Mr. FAWCETT: Sir, even for a temporary sea service, any contract for a definite period, exceeding one year, must be laid on the Table of the House, and will not be binding until it has lain there one month without disapproval, or has been approved by Resolution. If it should be proposed to enter into a contract for the period of one year, or any less period, there will be no objection, in the exceptional circumstances of the case, to promise, as the hon. Member suggests, that the House shall be informed of the intention of the Government before any binding contract is executed.

NAVY—THE DOCKYARDS—ARTIZANS' MEMORIALS.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether any decision has as yet been arrived at on the various petitions submitted to the Board by different classes of artizans working in Her Majesty's Dockyards; and, if so, whether such decision will be carried out this year, and the necessary Votes taken in the Estimates?

Mr. CAMPBELL-BANNERMAN: Sir, a personal inquiry has been made by some of my Colleagues and myself into the subject of the various Memorials from the Dockyards, and we are now engaged in considering the cases submitted. I should mislead the hon. Member if I implied by my answer that "Votes" would necessarily be required; because, until a decision is arrived at, it is impossible to say whether an addition will be made to the wages of any of the workmen. No unnecessary delay will take place; but the ground covered by the Memorialists is of great extent, and the examination cannot be hurried.

NAVY—WRECK OF H.M.S. "LIVELY."

Mr. GOURLEY asked the Secretary to the Admiralty, If he can explain the cause of the loss of H.M.S. "Lively;" and, whether the rocks upon which the vessel struck were correctly set out on the charts in possession of the commander and pilot?

Sir JOHN HAY also asked the Secretary to the Admiralty, Whether H.M.S. "Lively" is a total wreck, or whether there is some hope she may be saved for Her Majesty's service?

Mr. CAMPBELL-BANNERMAN: Sir, in answer to the hon. Member for Sunderland (Mr. Gourley), I have to say that the Admiralty have no fuller details of the unfortunate accident to the *Lively* than have appeared in the reports in newspapers; and it would be improper for me to offer an opinion as to the cause of the accident until the circumstances have been officially inquired into. The rock on which she ran is a well-known rock, and is marked on the charts. In answer to the Question of the right hon. and gallant Baronet (Sir John Hay), we have still some hope that the *Lively* may be beached and pumped out, when the extent of the damage to her will be ascertained.

PAPAL SEE—DIPLOMATIC COMMUNICATIONS (MR. ERRINGTON).

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, If Her Majesty's Government will lay upon the Table a copy of the letter originally written by Lord Granville to Mr. Errington, to be shown by him to the Papal authorities?

Lord EDMOND FITZMAURICE: No, Sir; it is not intended to lay on the Table the letter referred to in the Question.

Sir H. DRUMMOND WOLFF: Is it to be kept, as a record, at the Foreign Office?

Lord EDMOND FITZMAURICE: I wish to ask for Notice of the Question.

Sir H. DRUMMOND WOLFF: I will ask the Question on Monday.

EGYPT—LAW AND JUSTICE—TRIALS OF AHMED KHANDEEL AND SULEIMAN SAMI.

Mr. GORST asked the Under Secretary of State for Foreign Affairs, When the trial of Ahmed Khandeel will take place; whether it will be conducted in the same manner as that of Suleiman Sami; whether Major Macdonald will be instructed by Her Majesty's Government to watch the proceedings, and Sir Edward Malet to forward immediately any protest Major Macdonald may find it necessary to make against them; and, whether Her Majesty's Government will take such precautions as may be necessary to secure Ahmed Khandeel a fair trial?

Lord EDMOND FITZMAURICE: Sir, from the telegram read in the House yesterday by the Prime Minister, it would appear that the instruction in this case has been completed, and that the trial is now about to take place. The prisoner will be tried by Court Martial, as was Suleiman Sami. Major Macdonald is watching this case, as he has watched the others. It is not considered necessary to give him further instructions as to reporting to Sir Edward Malet, the instructions he has already being deemed sufficient. Sir Edward Malet has received instructions to see that Ahmed Khandeel should secure a fair trial, in keeping with the pledges given in the House, and explained in one of the despatches which will be presented.

Sir WILFRID LAWSON asked the noble Lord, If he would have any objection to state the exact clause under which Ahmed Khandeel was being tried; what he was being tried for; whether, as stated by *The Times'* Correspondent on the 10th June, he was to be indicted on a charge of want of energy in the execution of his duty; and, whether the Government would sanction his execution if he was found guilty of such a charge?

Lord EDMOND FITZMAURICE, in reply, said, he thought it would be better if his hon. Friend gave Notice of the Question. The Foreign Office, at the present moment, did not possess information which would enable him to reply to the Question.

Mr. GORST: The noble Lord has not answered that part of my Question which seeks to know whether Sir Edward Malet had been instructed to send at once to this country any communication which Major Macdonald might send?

Lord EDMOND FITZMAURICE, in reply, said, that Sir Edward Malet had not done so. He would naturally know to forward anything of that kind without receiving instructions.

Sir H. DRUMMOND WOLFF: Did he forward any protest from Major Macdonald?

Lord EDMOND FITZMAURICE: There was none.

Sir H. DRUMMOND WOLFF said, he wished to ask the Prime Minister whether the Government had received any information from Sir Edward Malet respecting the trial of Suleiman Sami?

Mr. GLADSTONE: I read a telegram yesterday from Sir Edward Malet.

Sir H. DRUMMOND WOLFF: But that contained nothing at all.

Baron HENRY DE WORMS asked whether the conditions of the trial of Ahmed Khandeel would be exactly the same as in the case of Suleiman Sami?

Lord EDMOND FITZMAURICE: That is the very Question I answered just now.

CRIME (IRELAND)—ALLEGED POISONING IN DUBLIN.

Mr. BERESFORD (for Mr. Tottenham) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the statement, which recently appeared in the "Central News"—

> "That the authorities had received information that Mr. Jury, of Dame Street, Dublin, had been poisoned by the Invincibles,"

was correct; and, whether any steps have been taken, by the exhumation of the body or otherwise, to verify this information?

Mr. BIGGAR: Before the right hon. Gentleman answers the Question, I would like to know, how soon was the body exhumed, and who was the analyst by whom the examination was conducted?

Mr. TREVELYAN: Sir, P. J. Tynan, one of the "Invincibles," appears to have boasted, shortly after the death of Mr. Jury, in College Green, that he had poisoned him. There is no doubt that the belief that he had done so was honestly—if I may use the word—and pretty generally held among the principals of the gang of "Invincibles," and amongst those who were most in Tynan's confidence. It was, consequently, believed by the authorities that sufficient ground existed for an investigation; and Mr. Jury's body was, with Mrs. Jury's consent, exhumed, the exact date of which I am not aware of. However, after a careful analysis by Dr. Cameron, the analyst of the City of Dublin, no trace of poison has been discovered.

LAW AND JUSTICE (INDIA)—ALLEGED ILL-TREATMENT OF AN ENGLISHMAN.—EXPLANATION.

Colonel DAWNAY said, he was desirous of making a short personal explanation. In putting a Question, on Monday week, as to an assault alleged to have been committed by a Native servant of the Gaekwar of Baroda on an English gentleman, he (Colonel Dawnay) inadvertently cast an imputation on the Viceroy. Such an imputation was never intended on his part; and, in reference to the Gaekwar, he was glad to be able to state, from communications he had received through the courtesy of the hon. Gentleman the Under Secretary of State for India (Mr. J. K. Cross), he had satisfied himself that this Question should have referred to another Native Prince, and not to the Gaekwar of Baroda, who, he was sure, was utterly incapable of acting in the manner alleged. He wished also to add that he did not believe Lord Ripon had taken any action in reference to the affair of the kind attributed to him—that of hushing the matter up.

Mr. J. K. CROSS: Sir, I am glad that the hon. and gallant Member for Thirsk has put the matter right by withdrawing and apologizing for the statement contained in his Question. It is unnecessary for me to say a word on behalf of Lord Ripon; but he wishes me to say that the Gaekwar is quite incapable of committing such an act as that attributed to him. The Gaekwar is an accomplished Gentleman, a Prince of the highest reputation, and he will feel keenly and resent deeply the charge made against him. I am very much obliged to the hon. and gallant Gentleman for what he has said, and am glad that it is withdrawn.

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether Her Majesty's Government are able to confirm the statements of the Calcutta Correspondent of the "Times," that the great majority of the officials of India, and those of Bengal and Assam, almost unanimously, have reported against Mr. Ilbert's Native Jurisdiction Bill; and, when these reports will be laid upon the Table?

Mr. J. K. CROSS: Sir, I am not able to confirm the statement of the Calcutta Correspondent of *The Times* alluded to in the Question of the hon. Member for Eye; and, considering that I do not know whether the Reports of all the Provincial Governments have yet been received by the Government of India, I cannot say when they will be laid upon the Table.

Mr. RYLANDS asked the hon. Member for Eye, who had given Notice that, on Friday, he would call attention to the conduct of Lord Ripon in regard to this subject, whether, seeing that those Reports were not forthcoming, he would not postpone his Motion?

Mr. ASHMEAD-BARTLETT: Sir, I am most reluctant to abandon the opportunity, very rarely obtained by private Members, of bringing the menacing condition of India before the House. Since I referred to Lord Ripon's Administration, I have received an immense number of communications from all parts of India, testifying to the bitterness of race antagonism, caused by the Viceroy's action, and protesting against Lord Ripon's legislation and policy; but I feel that the point urged by the hon. Member for Burnley (Mr. Rylands) is extremely important. The great majority of the official Reports are strongly opposed to Mr. Ilbert's Bill; and my case will be much strengthened by the production of these Reports. It is most desirable that they should be in the hands of Members before a discussion. For these reasons, I do not propose to proceed so soon as Friday with my Motion against the policy of Lord Ripon.

ORDER OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 7.]

(*Mr. Attorney General, Sir William Harcourt,*
Mr. Chamberlain, Sir Charles Dilke,
Mr. Solicitor General.)

COMMITTEE. [*Progress 7th June.*]

[SECOND NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 1 (What is treating).

Mr. F. W. BUXTON, in moving to insert, in page 1, after "candidates," in line 7, the words "at Parliamentary elections," said, the clause would then run—

> "Whereas, under section four of the Corrupt Practices Prevention Act, 1854, persons other than candidates at Parliamentary elections are not liable to any punishment for treating," &c.

It seemed to him that, if the words he proposed were inserted, the clause would be more in accordance with the provisions of the Corrupt Practices Prevention Act. The addition of the words would also make the intention of the 1st clause of the Bill clearer; and, therefore, if his hon. and learned Friend the Attorney General could see his way to accept the Amendment he should be glad.

Amendment proposed, in page 1, line 7, after "candidates," insert "at Parliamentary elections." — (*Mr. F. W. Buxton.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, the Amendment was a purely verbal one, and he would accept it.

Mr. BIGGAR said, it seemed to him the clause was better as it stood. They had constantly had it put before them that it was a very common thing to corrupt constituencies at municipal elections, with the indirect object of getting support at Parliamentary elections. It seemed to him that that Bill, if it was to be effectual at all, should apply, not only to direct corruption, but also to indirect corruption, and that it should be made an offence of quite as grievous a nature to bribe at a municipal election as at a Parliamentary election. He, therefore, hoped that the Committee would allow the clause to remain as it now stood.

Amendment *agreed to;* words *inserted* accordingly.

Mr. F. W. BUXTON, in moving, as an Amendment, in page 1, line 11, to leave out the word "corruptly," said, that the clause was one which dealt with the subject of treating; and it appeared to him that, in the original Bill, the 1st clause read in a clearer manner than the 1st clause did in this Bill. The Bill brought in last year by the hon. and learned Gentleman the Attorney General (Sir Henry James) did not contain the word "corruptly;" but the word was inserted after a very short debate, and without a division, and, if his (Mr. Buxton's) memory served him right, at a time when the House contained very few Members. The object of the clause was that any person—

> "Who corruptly by himself, or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays, wholly or in part, the expense of giving or providing, any meat, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person . . . shall be guilty of treating."

He was not competent to speak as a lawyer; but it appeared to him the clause would be simpler, clearer, and more direct in its object, if the word "corruptly" were omitted, so that the clause would read—

> "That any person who by himself, or by any other person, supplies meat, drink, or entertainment, for the purpose of influencing votes shall be held guilty of treating."

Amendment proposed, in page 1, line 11, to leave out the word "corruptly." —(*Mr. F. W. Buxton.*)

Question proposed, "that the word 'corruptly' stand part of the Clause."

Sir R. ASSHETON CROSS said, he hoped the hon. and learned Attorney General would not consent to the proposed alteration. Last year the word "corruptly" was inserted in the clause after a very full debate; and it was the general opinion that the insertion of the word tended materially to improve the clause.

Mr. RYLANDS said, he could confirm the recollection of the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross). The matter was carefully considered last year, and he (Mr. Rylands) was happy to perceive that his hon. and learned Friend the Attorney General, in presenting the Bill to the House this year, had taken advantage of the suggestions which were made, and the Amendments which were accepted last year. His hon. Friend (Mr. F. W. Buxton) seemed inclined to go over all the points which were discussed fully last year, and to dwell at length upon all the Amendments which the Committee succeeded in inducing the hon. and learned Attorney General to accept. He (Mr. Rylands) did not think such a course would facilitate the proceedings of the Committee.

The ATTORNEY GENERAL (Sir Henry James) said, he took it to be the general wish of the Committee that the word "corruptly" should remain in the clause. The word was inserted in the previous Bill, and he hoped that his hon. Friend the Member for Andover (Mr. F. W. Buxton) would not press his Amendment.

Mr. F. W. BUXTON said, he was not present last year when the matter was debated; but he had heard, on good authority, that it was not debated at any length. He would, however, ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. RAIKES said, he begged to move the Amendment which stood in his name, and which had reference to the time during which treating was to render a person liable to serious consequences. He did not know whether the hon. and learned Attorney General was disposed to accept his Amendment or not. If the hon. and learned Gentleman could see his way to accept it at once, he (Mr. Raikes) would not be required to inflict any remarks upon the Committee. [The Attorney General (Sir Henry James) dissented.] As he believed the hon. and learned Gentleman was not willing to accept his Amendment, he would point out that the effect of the clause was to render persons who were found guilty of corrupt practices liable to extremely serious consequences, if the clause remained unaltered. The clause said—

> "Any person who corruptly by himself, or by any other person, either before, during, or after an election, directly or indirectly"

does so-and-so. "Either before, during, after an election" covered, as was said in the debate last year, not only all time, but all eternity; and when the Bill was in Committee last year, he (Mr. Raikes) proposed to the hon. and learned Gentleman—and he thought he nearly obtained his assent—to leave out the words altogether; because if a person was by any act, at any time, to render himself amenable to this section, it was quite unnecessary to retain the words "before, during, or after" an election, inasmuch as corrupt practices must be resorted to during one of those periods. It was only proper that they should fix some definite time during which the offence should not be committed; for he could not conceive that any treating, however corrupt, could have the effect of influencing any man at a distance of more than three months from the time the treating took place. He did not suppose that if a man was invited to dine with the Lord Mayor, three months before any election took place, it would have the effect of influencing him in giving his vote. That being so, and he being anxious to see the clause put in a shape in which it might be well worked, he had thought well to suggest the insertion of words which might guide the Judge, who would have to try any Petition, as to the period during which treating might be held to be corrupt. He begged to move the Amendment of which he had given Notice.

Amendment proposed,

> In page 1, line 11, to leave out the words "either before, during, or," and insert the words "at any time within three months before, or during, or at any time within three months." —(*Mr. Raikes.*)

Question proposed, "That the word 'either' stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought the Committee would understand what the effect of the Amendment would be. The words "either before, during, or after" an election occurred in the Act of 1854, and that Act had not been found to work any particular inconvenience. The only effect of this clause was an alteration of the law, so as to make other people guilty of treating besides the candidate. Let the Committee examine what the right hon. Gentleman's Amendment amounted to. It was assumed that what the right hon. Gentleman was dealing with was a corrupt act; and it was assumed that it was done for the purpose of corrupting constituents, and influencing voters at elections. If it did not influence a man in giving his vote, it was not an offence at all; and, assuming that the act done was done for the purpose of influencing an elector, under the right hon. Gentleman's Amendment, it might be done legitimately, if it was done more than three months before an election. Therefore, affirmatively, the Amendment was this—that it should be lawful to influence a voter, if it was done three months before an election. All Parliament had been striving to do was to strike a blow at all kinds of corruption; and he could not see his way to accept the Amendment proposed, which, plainly, would legalize corruption at a given time.

MR. WARTON said, it was all very well for the hon. and learned Attorney General to tell the Committee that the Bill was falling in the lines of the Act of 1854. Last year he told them the same thing; but he omitted to say that the word "corruptly" was in the Act of 1854. It was true the words were, to some extent, in the Act of 1854; but he (Mr. Warton) hoped the Committee would exercise its common sense, and see what the question really was. The question was that there should be some limited time fixed, and within that time the candidate should not fall into the additional traps laid for him in this Bill. There were already traps enough for him to fall into; but, under the Bill, he would be able to fall into traps laid by other people. People might be innocent in their motives; but, whether they were innocent or not, it was desirable some time should be fixed. Really, he did not think the hon. and learned Attorney General knew anything about the habits of his fellow-creatures. He did not think the hon. and learned Gentleman had ever seen two honest working men in a pot-house. He did not think the hon. and learned Gentleman had ever seen one fellow pay for a pot of beer in a manly spirit. Englishmen were good-natured fellows, and were fond of their beer; and it was very easy to imagine that if two men got together in a public-house, one might say to the other—"I wish you would vote for that excellent man, the Attorney General; why don't you vote for him?" And if the other man said—"Well, I think I will;" and if he was influenced by reasonable argument, advanced over the drinking of a pint of beer, the hon. and learned Attorney General might find himself condemned to another place—he might find himself subjected to the penalties provided by the Bill, because one man had treated a fellow-elector to a pot of beer. He (Mr. Warton) felt much obliged to the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) for having taken the matter up, and put the Amendment in a more readable form than the one he (Mr. Warton) had himself placed upon the Paper, which went in the same direction as the Amendment they were now considering. Let them, on the very threshold of a patient and very long investigation, fix upon a few guiding principles, which might shorten their deliberation; let them do something which would decrease the difficulties of an election, instead of increasing them. If there was no limit of time, directly one election was over, and when, possibly, political feeling was running high, people might talk about the next election; and if one man treated another to a glass of beer it might be held to be corruption under this Bill. It appeared to him that three months was almost an extravagant limit of time; but, notwithstanding this, he hoped his right hon. Friend would press his Amendment to a Division. He should certainly support his Amendment, in the interest of common sense, and with a common regard for the welfare of his fellow-creatures.

Mr. GREGORY said, that, with great respect to his hon. Friends who had moved and supported this Amendment, he (Mr. Gregory) could not altogether join in the opinions they expressed; in fact, it appeared to him that the Amendment would operate prejudicially to candidates. Let them see what the clause was. The clause provided that if a candidate, by himself, or by any other person, treated an elector, "for the purpose of corruptly influencing that person," he should be guilty of the offence of treating. His hon. Friends would see that very great importance attached to the words "corruptly influencing," and that these words governed the clause. Now, with respect to the proposed limitation of time, it appeared to him that it would have the effect of putting a construction on those words, and that many acts, innocent in themselves, would be held to be corrupt, because they were done within the period limited; whilst many others, which were absolutely corrupt in themselves, would escape, because they were not done within the time named. It appeared to him, therefore, that the proposed Amendment might, in many cases, be prejudicial to a candidate, and in others lead to an evasion of the law.

Mr. JOSEPH COWEN said, he presumed the object of his hon. and learned Friend the Attorney General was to prevent a candidate nursing a borough. There were, however, two ways of nursing supporters. There was a new-fashioned mode, and it was a mode of a very reprehensible character. How far the Act operated upon Caucuses, or upon political organizations in boroughs, he could not yet say. Organizations might be legitimate, and even desirable; many political organizations existed with the ostensible object of educating the population; but it was well known that some organizations existed which did really a great deal more than educate the people—they intimidated them. They got up cheap trips, feasts, and tea-parties, and other social entertainments, and the members of the Caucus were attracted to those entertainments. The candidate did not do this, but his friends did it. He submitted that, under the operation of this clause, the hon. and learned Attorney General might be made amenable for the acts of the Caucus which possibly existed in Taunton. In the interests of candidates, he advised the hon. and learned Gentleman to carefully re-examine the clause. He thought they ought to have a clear understanding as to what was the kind of Parliamentary treating that this Bill would prevent.

Mr. R. N. FOWLER said, he should have preferred the Amendment of the hon. and learned Gentleman the Member for Bridport (Mr. Warton) to that of his right hon. Friend the Member for the

University of Cambridge (Mr. Raikes); because he considered that 28 days before or after an election was quite a long enough period during which treating could not take place. As, however, his hon. and learned Friend the Member for Bridport deserted his Amendment in favour of the one now under consideration, he (Mr. R. N. Fowler) hoped the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) would go to a Division. As he had previously said, this Bill "bristled with penalties." He thought the law was quite severe enough as it now stood; and, so far as he could understand the present law, if it was strictly carried out, there was not an hon. Gentleman in the House who would retain his seat—certainly, there was not one hon. Gentleman who took part in a contested election who would now be sitting in the House if the law were strictly carried out. Was there any hon. Gentleman who could rise in his place and take an oath that no man gave three-halfpenny worth of ale to another man to vote for that hon. Member? He did not believe that any hon. Gentleman in the House could take such an oath. ["Oh, oh!"] Hon. Gentlemen seemed to doubt it; but he would be a bold man who would rise and maintain that no one did give a glass of ale to one or other of their friends, as a means of persuading him to vote in a particular way. Under the circumstances, he considered the law was very severe as it stood, and the object of the Bill was to make the law stricter.

SIR R. ASSHETON CROSS said, he did not think his hon. Friend (Mr. R. N. Fowler) was right in the assertion that this clause would make the law stricter. As far as the candidate was concerned, this was simply a re-enactment of the existing clause. All that was now being done was to extend the existing clause to other persons. He (Sir R. Assheton Cross) thought there was great force in what fell from his hon. Friend the Member for East Sussex (Mr. Gregory). They must take care that they did not, by accepting such an Amendment as the present one, make the law really absurd. It was quite true that it might be very likely, if such an Amendment as the one now before them was accepted, that an innocent act done within three months would practically become a guilty act. He did not see his way to support the Amendment of the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes); but when they came to a later part of the Bill—Clause 7—where, for the first time, there was any mention of the maximum expenditure, the hon. and learned Gentleman the Attorney General would find that he would be confronted by a very great difficulty.

MR. H. H. FOWLER said, that the argument of the hon. and learned Member for Bridport (Mr. Warton) was that the clause introduced a new state of law in reference to treating; but the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) had contended that there was no change whatever in the law. As a matter of fact, it was a law which had existed in the country for the last 30 years. If reference were made to the Act of 1854, it would be found that the offence of treating was defined as follows:—

> "Every candidate who, either before, during, or after any election, directly or indirectly, gives or provides refreshment, &c., &c., shall be guilty of treating."

Therefore, the Amendment which the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) now proposed would make a change in the law; so that it was not correct to say that the existing Bill made a change in the law. He hoped the Committee would not do anything which would tend to perpetuate the system of nursing boroughs by way of treating. The nursing system was one of the most ingenious and one of the most successful means of corrupting boroughs; and he hoped the Committee would show that they were not desirous of relaxing the existing law in favour of this objectionable practice.

MR. ONSLOW said, he wished to point out to the hon. and learned Attorney General that this Bill was intended to extend the Act of 1854. The words of the clause were "any person who corruptly, by himself, or by any other person." Now, suppose a gentleman went down to a constituency at the last moment, knowing, possibly, little about the place. He appointed So-and-so as his agent, and that agent might appoint someone else as sub-agent, and that sub-agent, only a very short time before, might have done something which brought him under this Bill. The candidate would know nothing whatever about his agent or sub-agent; but, after it was found out that some time before the election agent or sub-agent had treated a man to a glass of beer, or had given, possibly, to a working man's daughter a dress, which was just as much treating as giving to the man himself a glass of beer, a Petition would be filed, and the candidate would be ousted from his position, and pains and penalties would accrue, although he himself had not been guilty of the slightest digression. It was strictly unfair that a candidate, under such circumstances, should be held liable.

Mr. RYLANDS said, that if that Amendment were carried, it would, to a great extent, destroy the efficiency of the Bill. What was the effect of the Amendment? It was clearly that, three months before any election, a man might treat any number of electors, and do it with the avowed purpose of influencing their votes. There would be, as a matter of fact, a great inducement, and encouragement to any candidate to indulge in treating. It was well known to many hon. Gentlemen that it was not an infrequent thing for candidates to entertain the whole body of their supporters. In fact, it was on record that, on one occasion, when the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) represented Chester, he took a large body of his supporters to Rhyl—["No, no!"]—at all events, a large number were taken to Rhyl; they enjoyed themselves very much; and whether the right hon. Gentleman or his Committee paid the expenses he (Mr. Rylands) knew not. It was quite clear that any operation of that kind, promoted by a candidate, must have a tendency to corruptly influence the electors and secure their votes for him. He thought the Committee ought to resist any term of this kind, which might very seriously affect the efficiency of the Act.

Mr. CHAPLIN said, there was nothing in the severity of the clause that would induce him to vote for the Amendment; but there were other reasons that would induce him to do so. If there were no fear of corrupt purpose and intent being attributed to persons who had no such intentions, there would be no need of limiting the clause in the manner proposed by the right hon. Gentleman the Member for Cambridge University (Mr. Raikes). The clause said—

> "Any person who corruptly, by himself, or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person," &c.

How could they be sure that things of that kind, innocently done many years before an election, would not, after the election, be alleged to have been done for the purpose of corruptly influencing electors, although they had nothing whatever to do with the election? Take the case of a rich man, who had done some acts of kindness and liberality in a borough, in the neighbourhood of which he had, perhaps, resided for many years without the slightest intention of standing as a candidate for the constituency. Suppose that something occurred which changed his mind, and that he became a candidate; under the clause, as it stood, he would be liable to have a charge brought against him of corruptly influencing the electors. He thought that some protection should be afforded to a person so placed; and unless the Government made provision for that purpose he should vote for the limitation of the clause.

Mr. STUART-WORTLEY said, he believed that, in practice, the Judges would only interpret as corrupt acts which occurred within a short time of the election. It was suggested that the Amendment would legalize nursing; but, unfortunately, some of the worst kinds of nursing had been held not to be treating.

Mr. WARTON said, the Bill did not, as had been stated by the hon. Member for Wolverhampton (Mr. H. H. Fowler), merely express the law as it already existed. The law did not make these simple acts illegal; it was the Bill that sought to do that; and, therefore, he begged to correct the hon. Member upon a subject that Gentlemen who supported the Amendment on that side of the House were perfectly well acquainted with. The Bill was one which many people hugged to their hearts, because they thought it would diminish the expenses at elections; but there could be no doubt that, if the clause were passed without being amended in the manner proposed by the right hon. Gentleman the Member for Cambridge University (Mr. Raikes), it would materially increase the expenses on Petitions, because there would be no limit to the opportunities and endeavours of persons who wished to unseat the successful candidate. The Bill would not have the economizing effect that was expected from it by many, and that very clause would increase immensely the expenses on Election Petitions, because hundreds of small things would have to be gone into that were now passed over. They had been told that the Judges henceforth would not hear just enough evidence to make out a case, but that the whole matter would be investigated. This would necessarily increase the expenses on Petitions.

Mr. NEWDEGATE said, he knew it had become a habit to nurse constituencies of late. There was the hon. Member who claimed Northampton nursing that borough all round the country; another Gentleman was at that moment nursing North Warwickshire. He thought the present period of nursing was very likely to be fraught with corrupt practices, especially treating. He suggested to his right hon. Friend (Mr. Raikes), and to the hon. and learned Attorney General, whether they might not agree to use the words, "especially within three months before, or three months after, the day of an election?" His own experience went to show that, although corrupt practices might extend over a long period, most acts of the kind were committed within three months before or after the day of election.

Mr. MARUM said, he did not see any ground for changing the present law. If the Amendment were agreed to, they would, by implication, permit voters to be corruptly influenced anterior to a period of three months before an election, or when three months after the election had expired, so that the morality of their legislation would depend solely on a period of time. He thought no reason had been shown for altering the existing law.

Sir WILLIAM HART DYKE said, he regretted that he was unable to support the Amendment. His chief objection to it was that it emphasized by a date—a certain period before and after an election—in which a man might do the acts contemplated by the clause, and yet be perfectly secure from the penalties imposed. The discussion upon the Amendment had shown that the Bill did not deal with the vicious system of nursing, as it might have done. Did the Bill, in its present form, prevent a man becoming indispensable for the good of a particular borough? Because, if it did not do that, it would not prevent nursing. A man might promise improvements in a borough, and carry them out; he might, in that way, gain the confidence of the electors, and, at a certain date, come before them as a candidate for the representation of a constituency. If the Bill did not deal with such cases it was not satisfactory. There was a certain amount of vagueness in the wording of the clause. For instance, what was the meaning of "during an election?" When did an election begin? Although he could not support the Amendment proposed, he thought it only fair to indicate to Her Majesty's Government that, when Clause 7 was reached, he and his hon. Friends would expect from them something clearer than the word "during;" because they felt sure that, unless the intention of Parliament were more precisely expressed, the Bill would be so oppressive in its character, and so productive of absurdity, that it would defeat the object they had in view.

Mr. RAIKES said, he was much indebted to hon. Members on both sides of the House for what had been said in the course of the discussion; and, although he had not found everyone in favour of his Amendment, it had, at least, elicited the fact that a good deal of dissatisfaction and doubt existed as to the operation of the clause. The Amendment was not, in the slightest degree, proposed in the interest of any candidate. But the effect of the clause, as it stood, was to create a new crime, which was dealt with, under Clause 5, in these words—

> "A person who commits any corrupt practice other than personation, or aiding, abetting, counselling, or procuring the commission of the offence of personation, shall be guilty of a misdemeanor, and on conviction on indictment shall be liable to be imprisoned, with or without hard labour, for a term not exceeding *one year*, and to be fined any sum not exceeding *two hundred pounds*."

The object of that was to bring all persons, other than Parliamentary candidates, within the purview of the provisions of the clause. The constituency which he (Mr. Raikes) had the honour to represent was one in which, happily, this contingency was not likely to arise; but there were Gentlemen who, although they were not themselves concerned in the operation of the clause, were yet very much interested in it on behalf of their friends and the public generally. If they said that a person should be liable to be tried at any time in his life, because, years before, he had given a man a glass of beer, with the alleged intention of influencing an election, and, if convicted, that he should be imprisoned for one year, and fined not exceeding £200—if they were going to create a new crime and punish it with such a penalty as that—they ought, at least, to define it with regard to time, so that the Judges might have it before them that it must have been committed either immediately before or after the election. As to the effect of what was called "corrupt treating," he must, with all respect to those hon. Gentlemen who had used that argument, say that he believed it would have no effect whatever. He did not believe that, even among the humblest class of electors, the fact of giving a glass of wine or beer six months before or after a contest would secure a single vote, or in any way influence an election. He was sorry his right hon. Friend (Sir William Hart Dyke) did not see his way to support the proposed Amendment; and he would remind him that, however the word "during" might be defined, it would not define a period either before or after the election. His (Mr. Raikes's) object in proposing three months was merely to have some period fixed; and if the hon. and learned Attorney General could see his way to meet him he should be glad. On behalf of those persons who might, when engaged in electoral contests, bring themselves, although perfectly innocent, within the range of the present clause, he felt bound to take the sense of the Committee upon his Amendment.

Mr. WIGGIN said, he should like a somewhat clearer definition than was contained in the clause. Without that, he should be almost afraid of entertaining his friends for fear of breaking the law. He asked whether the clause would deprive candidates of the right of entertaining their friends in a social manner? Because he feared that would be its effect upon timid and nervous persons like himself. If that were so, he should be unable to give it his support.

The ATTORNEY GENERAL (Sir Henry James) said, he could assure the hon. Member that, if the clause were agreed to in its present form, he would not be prevented from continuing a course of moderate social hospitality.

Mr. LEAMY said, he could have wished the time specified in the Amendment of the right hon. Gentleman (Mr. Raikes) was not so short; it was a pity he had not made it six months before and after an election. On the other hand, he (Mr. Leamy) was inclined to support the Amendment; because he thought it was unfair to hold a candidate guilty of corrupt practices committed by his agent. They had, after all, to depend on the view which the Judges might take of the meaning of the word "corrupt," to decide whether a candidate was responsible for the act of his agent; but, supposing that a treat, no matter how small it might be, were given by the agent of the candidate for the purpose mentioned in the clause, it would be a corrupt act, and one for which the candidate would be responsible and liable. For that reason, although he considered that the time fixed by the right hon. Gentleman was rather too short, he should support the Amendment before the Committee.

Mr. O'KELLY asked if the hon. and learned Gentleman the Attorney General would undertake to define the term "moderate hospitality," which he had used in reply to the hon. Member opposite (Mr. Wiggin)? The whole question turned on that point, because different men had different ideas as to that which constituted liberality in matters of this kind. If the Judge who tried a case under the clause happened to have some personal or political reason for using the law against the candidate accused, his idea of moderate hospitality might not be quite in accordance with that of the hon. and learned Gentleman. In view of the punishments to which persons convicted under the Bill were liable, he thought they should have some definition of what "moderate hospitality" might consist in, otherwise no one connected with Parliamentary elections would be safe—neither the candidate, nor his agent, nor his friends. There was, moreover, no limit as to the time when this responsibility would begin or when it would end. The Bill placed persons connected with Parliamentary elections in this country completely at the mercy of any malicious individual they might come in contact with; and he thought the right hon. Gentleman who proposed the present Amendment (Mr. Raikes) ought to persist in taking the opinion of the Committee upon it.

MR. DAVENPORT said, he understood the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) to say that a person would be liable at any time in his life to prosecution for the acts specified in the clause. But he (Mr. Davenport) thought that was not the case. The 14th section of the Bill provided that a prosecution for any offence under the Act should be commenced within two years from the date of its commission. If he read the section aright, a man would be perfectly safe from punishment for corrupt practices after two years.

MR. R. H. PAGET said, it appeared, as the hon. Member who had just sat down (Mr. Davenport) had stated, that there was a distinct limitation of two years with regard to prosecutions under the Act. The question was, whether that limitation was sufficient? He would suggest that the clause should run thus —"Any person who within two years before or after an election," &c.

Question put.

The Committee *divided*:—Ayes 256; Noes 60: Majority 196.—(Div. List, No. 132.)

MR. WARTON said, he did not propose to move any Amendment until after the word "or," in line 12, when he proposed to insert "within twenty-eight days." No one could say that treating took place after an election with a view of influencing the votes to be given at the election. All the evils of treating were seen when treating was resorted to to induce people to give their votes. It was perfectly conceivable that, after a candidate had been elected, some of his supporters might imperil the election by treating people who had voted; but if, as he (Mr. Warton) should propose, only treating during the 28 days subsequent to the election were rendered illegal, the probabilities of corrupt influences would be more than met. When the Bill was passed, people would be anxious for the 28 days to go by, in order that they might know whether any Petition was to be presented against the return of a Member. That 28 days was the period allowed for the presentation of a Petition; and if, during that period, the condition of things was unimpeached—that was to say, if everything was perfectly fair, and there was no treating, and it was decided that a Member was returned by the free and independent votes of the electors, it would be extremely hard, subsequently, on account of some paltry act of this kind, to invalidate the election. Did the hon. and learned Attorney General mean that, because some little act of treating took place, it might be months or years after a Member's return that his election was to be rendered invalid? Let them take the case of a General Election. It might turn out that some supporter of a borough Member had given a bottle of beer to an elector, saying—"I will stand you this because you voted for my man at the election," and that might be held to invalidate the election. Surely, the candidate would have misery enough cast upon him by other sections of the Bill, without being held responsible for a small act of that kind any period after the election. He was speaking, of course, of people who wished to treat in a free and kindly English manner—people who wished to have a little jollification after an election, to show their delight at the success of their candidate, or to console the defeated candidate's supporters for their want of success. Surely, treating under these circumstances could not be regarded as treating for a wrong purpose. Surely, the question of treating before an election was a very different one to that of treating 28 days after it had taken place; and whilst, in the Bill, there was interference in the first case, it would be perfectly safe to refrain from all interference in the other case. He would move the Amendment that stood in his name on the Paper.

Amendment proposed, in page 1, line 12, after the first "or," insert "within twenty-eight days."—(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must apologize to the Committee for taking up its time on a subject of this kind. He would point out to the hon. and learned Member for Bridport (Mr. Warton), however, that the effect of the Amendment, if agreed to, would be simply to prevent a candidate from treating for a certain period, but would give him full liberty to treat as much as he liked after the expiration of that period. All the candidate would have to do would be to wait until the ordinary period for presenting a Petition had expired, and then he might spend any amount of money he chose upon the electors. The Amendment would enable candidates to resort to wholesale treating.

Mr. WARTON repudiated the allegation that he wanted to enable candidates to treat wholesale. This Amendment had nothing whatever to do with candidates.

The ATTORNEY GENERAL (Sir Henry James): Indeed, it has.

Mr. WARTON said, the hon. and learned Member would find in the 1st paragraph of the 1st section "persons other than candidates." Candidates were not liable to any punishment for treating under this section; the governing words of the clause were "persons other than candidates;" and it seemed to him that whenever the hon. and learned Attorney General was in a hurry he gave a very queer interpretation of the law. Whenever the hon. and learned Member endeavoured to get rid of a question in that manner, and indulged in an exhibition of impatience, he (Mr. Warton) should always take the liberty of correcting him, in the interests of truth and justice, when he found him giving a wrong impression as to the effect of suggested words. The hon. and learned Member had been through many elections, and he knew very well that it was a perfectly natural thing that, after a contest of this kind, a little drink should flow; and surely it must to him appear absurd that, because a little jollification in a thoroughly English fashion took place after an election—it might be months or years after an election—the candidate was to suffer. ["Divide!"] As hon. Members seemed to be very impatient and very anxious for a Division, he would give them an opportunity of dividing.

Question put, and *negatived.*

The Attorney General

Mr. WARTON said, he had now to call the attention of the Committee to a very different species of Amendment, and one which did not involve any ideas of corruption at all; he wished to leave out, in page 1, line 12, the words "directly or indirectly." He would ask the hon. and learned Attorney General for his construction upon these words—namely, "Any person who corruptly by himself, or by any other person," did so-and-so, "directly or indirectly." He wished to have some explanation of the construction to be placed on this section, which applied, not only to candidates, but to hundreds of persons who might do any of the little things that would come under the section; he wished to know whether, by the words "any other person, directly or indirectly" referred to, in a case where any other person, indirectly through another person, was guilty of a breach of the section, that other person, who represented the other person who represented the candidate, was to be held responsible? It appeared to him that these words were not wanted at all, because they had already provided for the person himself. They had provided for the other person, and surely it was unnecessary to provide for that other person doing something "directly or indirectly." The provision seemed to him to be a most absurd one; and it was nothing to him that the hon. Member for Wolverhampton (Mr. H. Fowler) said the House had passed it in 1854. In reply to that argument, it might be said that the matter was insufficiently considered in 1854, or that it was unnoticed. He would point out that the words must have one of two meanings—that was to say, they either directly referred to the person himself, and indirectly to the other person; and, if so, it was not wanted at all, because they had got the person himself and the other person; and if it did not refer to the person himself, and indirectly to the other person, it must refer to the other person, and indirectly to another person. He was anxious that they should not have more complication than there was absolute necessity for in this matter; and, therefore, he thought the best way to proceed would be to ask the Committee to strike out the words that appeared to be unnecessary.

Amendment proposed, in page 1, line 12, to leave out the words "directly or indirectly."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the hon. and learned Member's (Mr. Warton's) desire was evidently not to amend the clause, but to delay the Bill. The hon. and learned Member might contend that it was no argument to say that they were simply maintaining the law as it stood previously; but, according to him (the Attorney General), it appeared to be a very strong argument. The Judges had been accustomed to give their decisions in accordance with Statutes which had been construed in a certain way; and it was of great advantage to a suitor to know that, in commencing a case, he had not to go through a new litigation in order to secure a proper interpretation of the law. Therefore, if there was a good case for putting forward the law as it existed, and if the existing law could be maintained without inconvenience, it was right and proper that they should maintain it. He hoped the Committee would retain the words in the Bill, as their omission would lead to fresh litigation, as the leaving of them out might be said to indicate an intention of altering the existing law as to what constituted a corrupt practice. The words "directly or indirectly" might refer to a publican, who was an agent for a candidate, treating, not by himself supplying drink, but handing money over to another person to pay for it. He (the Attorney General) really trusted that the law would not be unsettled by the acceptance of this Amendment, which was perfectly uncalled for.

SIR R. ASSHETON CROSS said, he rose for the purpose of asking a question at this point. He entirely agreed that it was wise to keep the law in the words in which it at present stood, unless there was some very substantial reason to the contrary. It was for that reason that the word "corrupt" had been retained; but there were, no doubt, a certain number of people in the House who did feel that the law as it existed was unduly severe as it was at present understood; and there could be no doubt that Judges had often given decisions unseating Members, notwithstanding that those Members had done all that they could to keep their elections as pure as possible, and notwithstanding that the agents also had used their best endeavours to secure a fair and legitimate return. He referred to cases where, owing to the stray action of one or two enthusiastic persons, who had been employed by the candidate or the agent, great and grievous hardship had been done to the candidate. He had in his mind, when he said this, the case to which Lord Bramwell had referred the other day. The question he (Sir R. Assheton Cross) rose to ask—although he did not know whether the hon. and learned Gentleman (the Attorney General) would be able to give him an answer—was, whether, when they came to Clause 4, dealing with corrupt practices, he would look favourably upon the Amendments placed upon the Paper by the hon. and learned Member for Chatham (Mr. Gorst) and the hon. Member for Londonderry (Mr. Lewis), giving Election Courts a sort of equitable jurisdiction in these extremely hard cases, as far as corrupt practices were concerned? If the hon. and learned Member answered in the affirmative, it would be a great relief to many persons who took an interest in this measure; and, moreover, he believed, if a satisfactory answer could be returned, it would very considerably ease the discussion on this clause.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he hoped the Committee would not anticipate the discussion on Clause 4; and if he were to give his view on the point raised by the right hon. Gentleman opposite (Sir R. Assheton Cross) he would be improperly interfering with the course of Business in Committee. He would just say that these words "directly or indirectly" did not constitute agency.

MR. ECROYD said, he was not able to support the Amendment of the hon. and learned Gentleman (Mr. Warton); but he was anxious to know—the language of this clause, as it now stood, being very comprehensive—what would be its effect in regard to the action of Clubs? He would instance a case which was not at all unlikely to occur. Let them suppose that in one of the manufacturing districts of the North there were two Clubs—a Conservative and a

Liberal Club—in the same village. These Clubs would be engaged in a strenuous competition for Members; and funds would be contributed for the purpose of taking a number of the electors an excursion, perhaps, to Windermere or North Wales. Everybody knew that pleasure excursions of that kind, when given to members of political Clubs, were a distinct means of corruptly influencing votes; and what he wanted to know was, whether the clause, as it now stood, would be applicable to those who subscribed to a fund for that purpose? If it were not, the clause would entirely fail to effect its purpose, because he believed that they had far more to apprehend from practices of that kind than from private endeavours to corrupt voters.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that cases of that kind would, of course, stand on their own particular merits; if subscriptions of that kind were found to take place, with the object of influencing votes, whether it was subscribed by one person or by many persons in combination, the Judge would have to consider whether it was legitimate or not. It would be for the Judge to say whether money subscribed in that way was, or was not, subscribed for the purpose of influencing votes.

MR. WARTON said, that if the hon. and learned Gentleman (the Attorney General) could show a single Judgment in which these words "directly or indirectly" had been shown to be essential, he would at once withdraw his opposition to the clause. As yet, however, the hon. and learned Member had not quoted a single case in which these words had had any effect. It was said that the Law of Agency was not involved in this matter; but, although that was the case, the persons who would come under it would be mostly of the humbler classes, and, in the words of the clause, they might be very easily "found guilty." "Found guilty!" Offences under this clause were made crimes, to be punished with a year's imprisonment, or a fine of £100, and the deprivation of civil privileges for a long time. That penalty was to be inflicted upon a poor man who, "directly or indirectly," on behalf of somebody else, committed some little act which, in the opinion of the gentlemen who inquired into the circumstances, might be contrary to this provision.

Question put.

The Committee *divided:*—Ayes 235; Noes 21: Majority 214.—(Div. List, No. 133.)

MR. WARTON said, he would propose, in page 1, line 14, to omit the word "entertainment." He did justice to the argument of the hon. and learned Gentleman the Attorney General, that words which had received established sanction should be maintained; but words sometimes changed their significance, and there had been a great change in the meaning of the word "entertainment." In olden times the word probably meant meat, drink, and refreshment; but now it had lost that meaning, and meant some sort of theatrical or musical entertainment, or, perhaps, a lecture. It had lost its old meaning, and it might be interpreted by some young Judge who did not know its old meaning as including a theatrical or musical entertainment, or anything of that sort. He did not know whether the hon. and learned Attorney General wished to prevent such entertainments, or a lecture, say, on political economy; but he supposed everything might be allowed which was not meat or drink. If the word was taken in its old sense it meant food and drink, but not in its new sense.

Amendment proposed, in page 1, line 14, to leave out the word "entertainment."—(*Mr. Warton.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, this word appeared in the Act of William III. and in the Act of 1854; and he supposed it was intended to include not only meat and drink, but anything in the shape of entertainment or hospitality that should corruptly influence a vote. He thought the Amendment was not necessary.

MR. CAVENDISH BENTINCK said, the point was raised last year; and the hon. and learned Attorney General then gave, as he had given now, an unsatisfactory answer. [*Laughter.*] This was not a matter to be laughed at or laughed away. Last year the hon. and learned Attorney General said that entertainment was something in the shape of meat or drink; but in electioneering proceedings nowadays the subject of entertainment had changed very much. In his younger days the word always meant meat or drink, and so forth; but now inducements were held out to voters to vote for particular candidates by various methods. In the town of Derby, which the right hon. and learned Gentleman opposite the Home Secretary represented, there had been, he was informed, very lavish expenditure. Incalculable sums, almost worthy of the Marquess of Carabas, had been spent. Recreation grounds had been provided, and free libraries and baths and wash-houses—which, no doubt, many people regarded as very delightful. It was very desirable to have an explanation of whether this word "entertainment" was to be confined to meat and drink; and he thought the hon. and learned Attorney General should assent to the Amendment, which would be the shortest way of settling the point, or say what the word was intended to cover.

Question put, and *agreed to.*

Mr. WARTON said, that, as it appeared to be the decision of the Committee to retain the words of the Act of 1854, he would not move the other two Amendments standing in his name.

Amendments, by leave, *withdrawn.*

Mr. GORST moved an Amendment with the object of providing that the clause should apply to both the person treating and the person treated.

Amendment proposed, in page 1, line 19, after the word "treating," to insert the words "and the vote of such person, if an elector, shall be void."—(*Mr. Gorst.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, he would accept the Amendment, for he thought it a very proper one; but the words would come in better later on, at the end of the clause.

Mr. GORST said, in that case, he would withdraw it for the present, and re-introduce it later on.

Colonel NOLAN said, he wished to understand how the machinery of the ballot would be affected by this Amendment? The feeling of the House when the Ballot Act of 1872 was debated was that no voter's vote should be looked at by anyone; but if a vote was to be made void by this Amendment the papers would have to be looked at. The hon. and learned Attorney General might be able to quote decisions against that view; but he (Colonel Nolan) believed the point had not at that moment been decided, and, certainly, the Legislature had never sanctioned voting papers being looked at. If there was a charge made against a voter, his vote was looked at; but that was not the same thing. A man who personated a voter was not entitled to protection; but the whole theory of the Ballot Act was that the voting papers should never be looked at. This Amendment was entirely against the original theory of the Act.

Sir CHARLES W. DILKE said, he was surprised that the hon. and gallant Member (Colonel Nolan) did not know the Ballot Act better, seeing that he had taken a very active part in the discussions upon that measure, and had rendered great service. The hon. and gallant Member had overlooked the fact that, under the Ballot Act, votes, which were previously declared bad by a Court of Law, could be followed, and scrutiny had taken place in the case of such votes. There was no danger of inquiry into votes generally, because votes could only be followed after a decision. Only votes previously declared corrupt could be followed. If the hon. and gallant Member were right, he (Sir Charles W. Dilke) would ask, what was the use of all the machinery of the Ballot Act with regard to counterfoils?

Mr. CALLAN said, he should like some explanation as to the effect of the 2nd paragraph, because that would influence him in regard to his vote upon this Amendment. The 2nd paragraph said—

> "Every person . . . who corruptly accepts . . . and the vote of such person, if an elector, shall be void."

Suppose an agent went down to a borough surreptitiously, and invited 20 corrupt electors to two or three days' jollification, and they promised to vote for anyone he recommended, but when they came to their sober senses voted independently, would their votes be void?

The ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, that when once a voter was proved to have been corrupt, he ceased to have the power of voting, and his vote was lost to the person for whom it was given.

MR. NEWDEGATE said, the Committee must now feel the inconvenience of proceeding with this Bill before they had decided on the details of the Ballot Act Amendment Bill. It seemed to him that they were proceeding in the dark; and he was not surprised that the hon. and gallant Member (Colonel Nolan) did not clearly understand the intentions of the Government, which were involved in that Bill, but which had not yet been declared to the House.

SIR CHARLES W. DILKE: There is no question of the intentions of the Government. I was speaking entirely of the existing law.

COLONEL NOLAN said, he believed there would be no provision in the Ballot Act Amendment Bill to prevent a man's vote being looked at. It was obvious that the Amendment would greatly extend the scope of the Bill, and a great many more votes would be looked at. Was there any provision in the Ballot Act that a vote should be void?

SIR CHARLES W. DILKE: Undoubtedly there is.

Amendment, by leave, *withdrawn.*

COLONEL NOLAN said, he thought that, under the old Act, a candidate was punished too severely. This Bill, up to this clause, extended—and he thought quite properly—the punishment from the candidate to the agent. They were now also going to punish an elector. Under the old Act, a county elector might have food at the expense of the candidate; but a great many town electors, at any rate in Ireland, were under the impression that they could get food in the same way.

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Thursday.*

The House suspended its Sitting.

The House resumed its Sitting at five minutes past Nine of the clock.

MOTION.

—⸎—

LAND LAW (IRELAND) ACT, 1881 (PURCHASE CLAUSES).—RESOLUTION.

LORD GEORGE HAMILTON, in rising to call attention to the Purchase Clauses of the Irish Land Act; and to move—

> "That, in the opinion of this House, an immediate revision of the Purchase Clauses of the Irish Land Act, 1881, is necessary, in order to give effect to the intentions of Parliament contained therein,"

said, he regretted that, although this Motion had been on the Order Book since the opening of the Session, he had been unsuccessful in obtaining an opportunity of bringing it forward until now, when he feared the time at the disposal of the House was insufficient to properly discuss a question of such importance. The Motion, as an abstract proposition, could scarcely meet with any serious opposition. That the Purchase Clauses of the Land Act of 1881 were intended by those who passed them to be operative was as certain as that in practice they had since proved a complete failure. Neither was it in any way necessary to re-state the well-known arguments for or against the establishment of a peasant, or, what he preferred to call it, a farming proprietary. The agrarian disturbances and difficulties of the past 10 years, culminating in the legal establishment throughout Ireland of a uniform dual ownership in land, made the relative position of landlord and tenant different there to what they were in any other part of the globe. Divided ownership in land might, no doubt, have some social, and, possibly, certain economical disadvantages; but it was a system which lent itself, in a manner that no other system could, to the establishment of a farming proprietary through State aid. For the purchasing tenant in every case had, in addition to the property of the landlord which he proposed to purchase, a property of his own in the same farm, and any advance made to him rested not merely upon the security of that which he proposed to buy, but that which he had already; and, therefore, under no system was the security so good, or the margin between the amount of the advance and the solvency of the borrower so great, as under that system of dual ownership which the Land Act of 1881 established in Ireland. There were two sides of the Irish Land Question. They knew, from painful experience, that in the West and in the mountain regions they had numbers of small tenants, bordering upon insolvency, whose distress and low standard of living had but too frequently forced themselves upon the notice of the House. Outside those areas the mass of the tenants were solvent, and yearly improving, both in substance and circumstances—if clothing, general appearance, savings banks, and other deposits were any criteria of social condition. He proposed to deal with the latter class only, and this Resolution was meant to apply to them alone. When the Land Act of 1881 was under discussion in that House none of its provisions met with less opposition, or whose operation was afterwards watched with greater interest, than the clauses enabling the tenant, through State agency, to purchase the fee-simple of his holding. The enormous disproportion in numbers between those who received and those who paid rents in Ireland, the absence of any large or opulent middle class, were, undoubtedly, elements of social insecurity, that the events of the last three years had brought home to the minds even of the most sceptical. To reduce that disproportion, and to convert by fair and equitable terms the occupier into the owner, seemed to many the most natural and permanent solution of agrarian troubles in Ireland. The clauses had, practically, been a nullity; and the object of this Motion was, if possible, to infuse energy and life into them. The causes of failure were perfectly clear. The high rate of interest charged by the State upon the advances, and the short period allowed for the repayment, made the annual payment so heavy that there was little inducement to farmers to undertake it, especially as, in addition to this annual charge, they had to find personal security for the payment of that portion of the purchase money not advanced by the State. This made the tenants unwilling to render themselves subject to so high an annuity as the Purchase Clauses imposed upon them. In addition to this, there were collateral circumstances which were adverse to the operation of the clauses. The general feeling of insecurity which existed over a great part of the country, and the vagueness of the definition of fair rent in the Tenure Clauses, coupled with the hope that, by further agitation, legislation even more favourable to the tenant could be extracted from the Government, were all elements hostile to the operation of purchase. The attitude the Government had taken up in opposition to new legislation, except upon minor details, and the greater quietude in the country, would, to a great extent, counterbalance, in course of time, these collateral impediments. Still, something more was necessary; and his object was to lay before the House ideas for which he alone was responsible, but which, he believed, would do much to give effect to these clauses. Now, in advocating a revision of the existing scheme, he could advance arguments both positive and negative—positive on behalf of the intrinsic merits of the proposal itself, and negative on account of the unrest and perpetual litigation to which all Ireland must be subject if the Land Tenure Clauses of the Act of 1881 were to be the solitary instrument for the settlement of the Land Question. He in no way wished now to attack the administration of this part of the Act; but he would simply state the facts now underlying and determining its operations. An Act was passed drawing an imaginary line through every holding in Ireland, to divide and apportion the relative interests of landlord and tenant in that holding; but no direction was given as to how that line was to be drawn. The leading Law Officer of the Irish Government was the first to point out, when canvassing an agricultural constituency, that the so-called judicial decisions of the Sub-Commissioners would entirely depend upon the personal predilections or prejudices of the individual appointed. This was rather unfortunate, because, from that time till now, a steady and increasing pressure had been brought to bear upon the Government by their supporters to appoint men favourable to their extreme claims, and to remove or dismiss those who were supposed to be thoroughly impartial. He put it to the common sense of the House if any Act of Parliament could work well, or smooth down the heaving and surging of a great agrarian disturbance, the operation and effect of which were to be varied and regulated by the individual opinions of the men annually appointed to administer it, who, in their turn, were selected by the Government of the day? As Governments varied in their views, so would the men they selected for high office differ. The primary object of all agrarian legislation should be to establish a sense of stability and security, and that could only be obtained by definite and trustworthy settlements. The Land Tenure Clauses, from the method in which they must be worked, could never give that feeling, though, so long as they remained on the Statute Book, they would make the profession of local attorney the most lucrative in Ireland. It was admitted that nothing tended more to strengthen the foundations of authority and social order than that a certain proportion of the population should, by holding Government securities or stock, be the creditors of the authorities to which they owed allegiance. They had a self-interest in maintaining the credit, solvency, and authority of their debtors. Reversing the proposition, it might, with equal truth, be asserted that few conditions could be more dangerous to Governments than that they should be the creditors of a large portion of their subjects, especially if those so indebted were also politically disaffected towards them. This was the great objection which had hitherto existed against a rapid conversion of tenants into proprietors in Ireland through State agency. To bring the State face to face with hundreds of thousands of tenants, to whom the doctrine of repudiation of contract was too familiar, would be a perilous position for all concerned. A plausible and material argument would be put ready-made into the mouth of the unscrupulous agitator. "Possession is nine-tenths of the law. Repudiate all connection with an alien Government, who alone prevent you from fully enjoying your own property." Was it not, however, possible, by a very simple process, to reverse the position, and, by making a proper and legitimate use of local authorities in Ireland, to put the State and tenants in their proper relation one to another, make them the creditors of the State, and thus give them the best of all political motives in supporting the Government—namely, self-interest? The ideas which he now put forward he advanced on his responsibility alone, although, before stating them, he had obtained a favourable opinion as to their feasibility from many whose practical knowledge and experience of Ireland was undoubted. Two things were necessary for the development of his suggestions—a central and a local authority co-operating together. By central authority he meant a body in Dublin specially entrusted with the working of these clauses, and authorized, subject to certain conditions and limitations unnecessary then to enumerate, to communicate direct with the local authority, without constant reference to London. Whether this body was associated with the Land Commission, Landed Estates Court, or was a separate Commission, was immaterial, except that its primary and main duty must be the administration and development of these clauses. By local authority he meant a local body authorized to raise rates over a given area; and the area which would be the most convenient as a unit was the county, though a smaller district would do. Assuming that the not very difficult task was accomplished of forming a satisfactory central and local authority capable of co-operating, the local authority should be requested to receive any joint application from a landlord and tenant in the district over which they had jurisdiction for the sale of the interest of the landlord to the tenant. A valuation through the agency of the central authority would be then taken; and a report upon the solvency of the tenant, the value of the farm, and the price to be paid for it, would be made through an outside and impartial tribunal. If the report of the central authority—which, he assumed, would be a fair and impartial authority—were satisfactory, the local authority might, with the consent of the central authority, raise the sum in a manner which he would hereafter describe, primarily upon the security of the rates, but with the guarantee of the State for the purchase of the farm. The rates would then be liable for the amount of the interest payable upon the sum advanced for the purchase of the landlord's interest, and recouped by the amount charged annually for this advance to the tenant who had thus purchased his farm; and this sum could annually be collected with the poor rates or county cess through the machinery used for that purpose. The part of his scheme to which he attached most importance was, however, the method of obtaining the necessary ways and means. Now, in order to provide those ways and means, and, at the same time, to guard the State from risk, the following course might be adopted. Upon receiving the assent of the central authority, who would be the representative in Ireland of the Treasury, the local authority might issue debentures for the amount sanctioned, which, with a State guarantee, they ought to be able to get taken up, say, bearing interest at 3 per cent, payable out of the rates; these debentures or bonds to be in very small sums, in order that they might be taken up by farmers and tradesmen of the neighbourhood, and the interest due upon them to be paid by specified banks in the locality, the bonds and coupons being upon the American system, transferable by delivery. These regulations would prevent any competition between such bonds and Consols here in London; and the business connected with the circulation, issue, and payment of interest of such loans would give a general lift to local industries and enterprize. A very considerable proportion of these bonds would, he believed, be taken up locally, and thus a considerable proportion of each locality would become the creditors of the local authority and the State. The landlord, moreover, might be required to take a certain proportion of his purchase money in such a shape. By this process a twofold result would be achieved. The interest being payable out of the rates, every ratepayer would become to an infinitesimal degree liable, should any farmer, who through these means had purchased his holding, repudiate his obligation to the local authority; and the reverse of that sympathy would be shown towards the defaulting ratepayer which was now often felt for a defaulting tenant. Next, a considerable number of farmers and others who held these bonds would be the creditors of the local authority. By thus making the local authority the borrower with the sanction of the State, they would create a strong social and moral force in every locality in favour of fulfilment of contract and obligation, and thus combine the advantages of cheap money without any serious risk of repudiation. In connection with this scheme three questions at once suggested themselves. 1. Was the operation financially practicable? 2. Would the farmers purchase and the landlords sell? 3. Could the local authority be trusted? As regards the practicability of the scheme, undoubtedly one of the main objects being to get these bonds taken up locally, there might be some difficulty, in certain cases, in inducing the locality to do so. On the other hand, they had the high authority of Mr. Vernon, one of the Land Commissioners, who, in his evidence before the House of Lords, in 1882, stated that there was £30,000,000 on deposit in the Irish banks, and the whole of the money had only received interest at about 1⅝ per cent. The deposits both in savings banks and joint-stock banks had largely increased during the past two years. The latest Returns showed a large increase in the savings banks, a note circulation £880,000 higher than in the preceding year, and deposits and balances in joint-stock banks in 1882 of £32,746,000, being an increase of £2,600,000 over the preceding year. Owing to the rapid spread of temperance principles, the savings banks deposits were increasing so fast that Government would soon have a serious difficulty to know how to profitably invest them; and what more politic or statesmanlike use could be made of one great social movement than to utilize its savings for the sustenance of another? A certain proportion of these great sums would, undoubtedly, be available for a new and most attractive form of investment. These bonds, being guaranteed by the State and easily transferable, would practically be bank notes, bearing interest at 3 per cent. Many a small hoard, of the existence of which few would have any idea, would be drawn out by the prospect of a security and interest so safe, and so easily converted into cash. Therefore, taking these advantages into consideration, he believed this mode of investment would be popular with people possessing small savings. The financial operation of raising money at a low rate of interest for the purchase of the landlord's interest had, during the last two years, been so frequently referred to that he need not re-state it. Assuming that money was raised at 3 per cent as suggested, and the period of repayment was extended to 40 years, a tenant could give 23 years' purchase of his farm, and yet pay an annuity, including repayment of principal, less than the existing rent. By amalgamating this annuity, which in no case ought to exceed the existing rent, with the rates and cess already levied, no new or expensive machinery was necessary either for its collection or enforcement. The farmer would become a proprietor, repaying to his own local authority a sum advanced on mortgage on his farm. In the conveyance given to him provision might be made that the repayment should, if he wished it, be made more rapidly. The next question was, would the farmers buy? He believed it was tolerably certain that in the best and most solvent districts they would, though possibly not at first in great number, if the terms were good enough. The idea of instantly becoming his own landlord, free to do what he liked, subject only to a terminable annuity less than existing rent, would, to many well-to-do farmers, be an irresistible attraction; and if the better class of farmers led the way there would soon be many following them. The third, and, perhaps, the most important question of all was, could the local authority be trusted? Up to a certain point he thought the experiment might be made. But their borrowing powers would have to be closely watched and limited. If they in any way showed signs of untrustworthiness or repudiation their powers would at once terminate. Power must, of course, be taken by the State to declare any local authority in default if they in any way declined to recognize their obligation; and the Government, in such instances, might have the option of nominating a new authority, or transferring their powers to Government officials. With the existing machinery for collecting and enforcing the payment of rates, backed by the whole civil and military powers of the Crown, there ought to be little difficulty in bringing any recalcitrant local authority into immediate subjection. He had not attempted to enter into any details, nor did he pretend that this idea would settle the whole of a Land Question with an annual rental of many millions. But it would give a fillip to the Purchase Clauses by bringing an attractive and feasible scheme before both landlord and tenant. It was preferable to local land banks, whose credit without a State guarantee would be *nil*, whose operations could not be checked without an enormous staff, who must trade for profit, and who would have behind them only their shareholders in place of the whole mass of the ratepayers. Assuming that the Government were able to obtain a small sum, comparatively speaking, through the agency of the local authorities, they would have a sum which would be perpetually applicable to the purpose of converting tenants into proprietors. This sum would be an increasing one, and one which the increase of deposits in savings banks would tend to swell. He felt the difficulty in which he was placed as the son of an Irish landlord. Any one who came forward to make a suggestion for developing these Purchase Clauses naturally laid himself open to the suspicion that he was prompted by personal motives, and was endeavouring to pledge the credit of the taxpayers for the purpose of obtaining good terms for himself and for other landlords similarly situated. As regarded himself, he was so fortunate as to live in a county in which not, during even the worst times of disturbance, any district had been proclaimed. There was no part of the United Kingdom where the people were better conditioned, more loyal, or better behaved. So long as rent was paid in any part of the United Kingdom, it would be paid in the county he was connected with. His reason for bringing the question before the House was the serious risk, political and financial, which he foresaw, if some determined effort were not made to permanently settle the Land Question of Ireland. It was much better to speak plainly; the Irish Land Question was still surrounded with risk and danger. The risk of taking any forward step was so apparent that many did not see the far greater risk and peril that would occur if nothing at all were done. As regarded the financial risk to the Consolidated Fund of the scheme he had sketched, risk was a relative term. What had been the permanent charge imposed upon the taxpayers by the policy of the past few years? The Civil Service Estimates for Ireland for 1880-1 amounted to £3,100,000. That was a considerable increase upon the preceding year; but for 1883-4, they amounted to £3,677,000. In three years there was an increase of £600,000, and that was a permanent increase, for among the few things certain in this world was this, that Civil Service Estimates never went back. An increased charge of £600,000 meant interest on no less a sum than

£20,000,000; in other words, the National Debt or obligation had been increased by the amount of £6,000,000 a-year. Such was the financial risk of doing nothing at all. What were the political dangers? The Land Question in Ireland was practically the Alpha and Omega of Irish politics. The commercial disabilities imposed on Ireland in the last century in the interest of English manufactures had made the land, with the exception of the linen trade, the one main industry in that country. Until Land Question was settled they would have perpetual unrest and perturbation in Ireland. But that was not the only danger. The Liberal Party were pledged to certain reforms and concessions, which they proposed to extend to Ireland. If the Land Question was not settled every concession and so-called political reform, by which greater political power was given to a certain class in Ireland, would be valued and used, not for the purposes for which it was given, but because it would furnish the means of extracting more out of the property of the landlords. The Liberal Party were, therefore, in this dilemma—they must either depart from their principles, so far as Ireland was concerned, or, if they adhered to them, they would do so with the consciousness that gross personal wrong and injustice would attend their operation. He scarcely ever read an address of any hon. Member to his constituents without finding words to this effect—that, at all risks and at all hazards, the existing connection with Ireland must be maintained. He did not know whether that was an idle formula or not; but if, at all risks and hazards, the present connection of England and Ireland was to be maintained, why did the House shrink back whenever any proposal was made which would do something to cement that connection——such as the application of even a small portion of English credit to the settlement of that one question which, of all others, interested Ireland—the question of the land? There were Gentlemen who said that they had heard enough of the Land Question, who did not wish to be bothered with it any more, and who were of opinion that if they put that question altogether on one side, and passed a certain number of political reforms, all would go well. But political reforms were useless until social unity was restored. He happened, not long ago, to come across a passage describing the condition of this country just previous to the Great Civil War of the 17th century, in an admirable history written by a most impartial and able man—Professor Gardiner—and he thought it so applicable to the present situation in Ireland, that he would like to read it to the House. Professor Gardiner, in his *History of the Fall of the Monarchy of Charles* I., said—

> "Constitutional rules are good, because they enforce the application of the laws by which healthy societies are governed; but they cannot be made applicable to a society in which the whole head is sick and the whole heart faint. The daily food of the Constitution cannot be its medicine. Law and liberty, Kings and Parliaments, are available to a society which, in spite of wide differences of opinion and character, is in substantial unity with itself. When that unity has departed, when religious and political factions glare at one another with angry eyes, the one thing needful is not to walk in the paths of the Constitution, but to restore unity."—(*Fall of Monarchy of Charles* I., vol. II., p. 339.)

Now, he would say that until the expectations and aspirations of the Irish tenant, which had been unduly excited, could be directed into the channel of legitimate purchase, they would never have social unity in Ireland. He must apologize to the House for the great length to which his observations had run. His only object in bringing the subject forward was to impress upon the House and the Government the absolute necessity of doing something to make the Purchase Clauses of the Land Act a reality. He would appeal specially to the Prime Minister. The Government had, undoubtedly, had exceptional difficulties to deal with in Ireland; but, on the other hand, they had had unprecedented powers accorded to them, and yet he feared that the outcome of their policy had been that every political, agrarian, and social difficulty which existed when they came into Office had been aggravated and intensified. However, he honestly believed that it was still possible to evolve something like social order and permanent tranquillity out of the existing condition of things in Ireland. But whatever was done ought to be done quickly. He asked the House, therefore, to give its assent to his Resolution.

He did not wish any individual Member to pledge himself, in the slightest degree, to any detail of the scheme which he had described. He had merely suggested a line upon which they might safely and advantageously proceed in settling the question. He urged the Resolution upon the notice of the House, because he believed that notwithstanding the lamentable events of the past few years—events which they must all deplore—there were still in the existing condition of things in Ireland elements from which the Government, if it were wise and bold, could extract materials for the formation of a scheme conducive alike to permanent tranquillity and social order. The noble Lord concluded by moving the Resolution which stood in his name.

Mr. A. J. BALFOUR said, he rose with great pleasure to second the Motion. He thought that everybody who had heard the speech of his noble Friend would admit that he had shown the greatest ingenuity in constructing his plan, and the greatest ability in expounding it. He was afraid, however, that the Government might be tempted to fasten on some particular provision of the scheme which they believed to be weak, and use that as a reason for rejecting the Resolution. He hoped the Government would not take so narrow a view—and he was sure they would be going against the interests both of this country and Ireland in so doing—but would look at the plan in its broadest aspect. His noble Friend had stated that the Land Question was the Alpha and Omega of Irish politics. A truer remark was never made. For nearly 40 years they had been trying so to alter the system of land tenure in Ireland as to remedy some of the political ills under which that unhappy country had been so long suffering. But in that long series of years they had not pursued a systematic course. In their first measures, the object of the House of Commons and the Ministry was to accept the system of large properties, and to make it, as far as possible, an economic reality in Ireland. The idea was to get the large estates out of the hands of insolvent owners, and to induce people to go to Ireland who would spend a large capital on agricultural improvements, and, no doubt, exact from the tenant competition rents. That was the object with which the Landed Estates Court was established, and the Land Act of 1860 was passed. That policy prevailed up to the Land Act of 1870. But in 1870 there was an entire reversal of system, and that reversal was carried into final effect in 1881. The land legislation of 1870 and 1881 had been defended by very eminent Liberals, on the ground that the Irish would never become reconciled to the English methods of looking at this question; that their original land system was a tribal system, that it was an arbitrary innovation to give the landlords absolute power over their tenants, and that what should be done was to make some return to the original condition of *status* as distinguished from the condition of contract, which previous Parliaments had attempted to foster. Whatever might be said of that legislation, he must point out that they could not return, by an elaborate scheme, to the original condition of *status*. They might destroy the simple, natural proprietary right of the owner in the soil; but they could not restore tribal relations between Chiefs and vassals by an elaborate plan of land valuation, Government Courts, and all the heavy machinery by which Her Majesty's Ministers had attempted to solve the Land Question in Ireland. One thing seemed to him certain. They could not return to the old system of large proprietors and competitive rent. Neither could they maintain the artificial system of double ownership which had been set up by the Act of 1881. There was only one course open to adopt, and that was to return to an equally natural system, not based on large proprietorship, but on a system of small holdings in fee-simple. He was no advocate of small proprietorship on economic grounds, although there were high authorities who thought it was the only sound system. He did not think that the system of small owners, as it existed in France and Belgium—still less that of Russia—was the best conceivable one. But the system established by the Act of 1881 had all the disadvantages, and none of the advantages, of peasant proprietorship. It drove out of the country all those whose wealth and education might have proved a benefit to it. Yet it left no body of small owners, who might have conferred upon it other, but not less, important benefits. It was said, however, that small owners were apt to run hopelessly into debt. That was the case in France, and still more so in Russia; most of all it was the case in India. It seemed to be the natural tendency of small ownership for the owners to get gradually under the dominion of the usurer. But that danger had not been avoided by the legislation of 1881. The small tenant would still be driven to have recourse to the gombeen man. Thus, while he was alive to the objections to a peasant proprietary, he would urge that those objections equally applied to the system now established, which yet conferred upon the country none of the political advantage to be gained by the adoption of the proposal of his noble Friend. The danger from which Ireland suffered was that the political discontent which—in consequence, he was free to admit, of long periods of misgovernment—the Irishman felt, were always found in harmony with the social discontent born of poverty and of an hereditary land-hunger. Thus was generated a semi-socialistic agitation, which involved the gravest dangers to the Empire. The warmest admirers of the Land Act of 1881 would admit that, however necessary it might have been, it was, notwithstanding, looked upon by the people of Ireland as being the fruit of political agitation. Nor could anyone deny that the people of Ireland entertained the idea that by similar agitations in the future they would be able to get handed over to them a further slice of property which the landowners still looked upon as belonging to themselves. Could anyone contemplate such a possibility—he would rather say such a certainty — with equanimity? The proposals of his noble Friend, if they could be carried into practical effect, would have the conspicuous merit of averting that danger. If they were carried the whole property of the landlords would be transferred to the tenants, and the very class which would otherwise be ranged against law and order in Ireland would be amongst its firmest upholders. The plan of his noble Friend involved lending not the money, but the credit of the State—a plan which had never yet been tried by this country. It had been tried in Prussia, and, he believed, in Hesse-Darmstadt, with great success, and without those financial evils which the opponents of such legislation anticipated. The enormous advantage would be that an end would be put to the social agitation, in which lay the gravest danger of the political agitation. It was said, however, that one form of agitation would be substituted for another, and that the "no rent" movement would be set up against the Government instead of against the landlord. But it should be remembered that each year the tenant would be redeeming his holding, and be nearer the acquisition of the fee-simple; whereas, after he had paid rent for any number of years to his landlord, he was no nearer ownership than he was at the beginning. He did not deny, however, that there was some force in that objection. But it was far less than was the danger under the existing state of things. The annual instalments of purchase money would be paid to the local authorities with the taxes; and with each payment the imagination would be stimulated at the thought that the period of full ownership was approaching. He thought that he might appeal to the supporters of the Land Act of 1880, and that he might ask them whether they thought that the passing of that Act had not, to a certain extent, shaken the basis of property both in Ireland and in England? He believed—and the opinion had not yet become paradoxical—that the safety of society in this country absolutely depended on the solidity of those sentiments about property which were the present basis of our society. We could not materially shake this basis without doing infinite harm, not only, or principally, to landlords, but also, and chiefly, to the wage-earning classes of the community. If in 10 years' time we were going to pass another measure like the Land Act, in consequence of another agitation like that of the last three years, we should give a shock to property and credit in Ireland and in this country that would most seriously affect every class of society. He would appeal to those who had watched the course of events in the last three years whether they did not see, even in this country, which had as yet no Land Act, the effects which were following the doubtless conscientious legislation of two years ago? If he was right in that idea, he did entreat the Government, while there was yet time, to make such provision in Ireland as should, at all events, prevent for ever a similar agitation, followed by similar consequences.

Motion made, and Question proposed,

"That, in the opinion of this House, an immediate revision of the Purchase Clauses of the Irish Land Act, 1881, is necessary, in order to give effect to the intentions of Parliament contained therein."—(*Lord George Hamilton.*)

Mr. TREVELYAN said, he must congratulate the noble Lord opposite the Member for Middlesex (Lord George Hamilton) on having obtained such a full House for the discussion of his Motion. The subject was one of great and, under certain circumstances, of immense importance, as they were all agreed that a considerable and a larger infusion of occupying proprietors among the landlords of Ireland would be of great advantage to the State. Hitherto they had attempted to arrive at this advantage by methods well tried by experience; but he was willing to confess that those methods had only had a limited success. Still, those methods contained the germs of great future success, if certain changes to which the noble Lord had referred were made. The Government certainly did not view the noble Lord's Resolution, as it stood on the Paper, with anything but very considerable favour, if one alteration of words, which he would describe very soon, were made. Those methods, he thought, might lead to a very considerable development of the purchase of estates by the Irish farmers if the changes to which he had alluded were made; but if we were to leave those methods altogether, we should pass from what we knew very well to what we did not know anything at all about yet. But before we took that step there must be full discussion, which might be said to have begun to-night, and the country must know thoroughly what it was about to do. The measures hitherto taken had all contained certain principles in common, and to these he invited attention. The Church Act of 1869, by far the most successful of these measures, allowed three-fourths of the purchase money to remain on mortgage —either a simple mortgage of no less than 4 per cent, or a mortgage extinguishable in 32 years. The success of these clauses was very remarkable. Out of 8,380 tenancies, only 2,326 had to be bought by the public; but upwards of 6,000 tenants bought their holdings. And the average rate of purchase was very satisfactory, because it was for 22¾ years, or not much less than that named by the noble Lord. The tenants purchased eagerly, and they paid their instalments well; and he was gratified to be able to inform the House that they continued to pay those instalments very well. Last year, out of £120,000 due to the Land Commission, only £4,000 remained unpaid. Encouraged by the success of these sales to tenants of particular estates, Parliament resolved to extend these measures to the whole of Ireland. And then came the Bright Clauses of the Land Act. In that case two-thirds of the purchase money was advanced by the Board of Works; and it was advanced in the shape of a terminable mortgage at 3½ per cent, repayable in 35 years by a payment of £5 on every £100. The success of the Bright Clauses, as generally known, was very small. The loans in 10 or 11 years were only 871, and the amount of the purchase money was only £853,000. The cause of the failure of the Purchase Clauses of the Act of 1870, as compared with those in the Church Act, was carefully examined into; and no one went more closely into the question than his right hon. Friend who was sitting near him. In some respects the terms offered by the Bright Clauses were less favourable than those under the Church Act; but this was not owing to the terms being less favourable. It was because, under the Church Act, certain estates were offered for sale as a whole; while in the case of the Bright Clauses the individual tenant was left to make his bargain with the individual landlord. In 1881 it was considered that more equitable terms ought to be given; and, consequently, terms as good as those of the Church Act were given with regard to interest and the time of repayment of instalments; but the success did not follow which was expected. At this moment only 330 loans had been sanctioned, representing holdings to the price of £213,000. The result of all this legislation was that out of the 500,000 tenants in Ireland 7,250 had bought their holdings, or less than a hundredth, and probably considerably less, of the value of the lands of Ireland.

COLONEL KING-HARMAN asked whether the right hon. Gentleman could state the rate of purchase?

MR. TREVELYAN said, the rate of purchase under the Church Act Clauses was 22¾ years. The rate of purchase under the Bright Clauses was 19·8, or a little under 20 years. The causes of the want of success of these various Purchase Clauses had been examined into. He wished hon. Members to bear in mind, in discussing this Resolution, that it was possible one hon. Member, in referring to a particular feature of the case, might mean one thing, while another hon. Member might mean another. He had no doubt that the causes which he was about to mention would be agreed to by all. The first reason was that, in many cases, the tenant was perfectly satisfied, as a tenant under a judicial rent, with practical security of tenure, and did not care to become an owner, when he would have to pay an increased rent during the whole of his life, and pay that share of the poor rate which would fall on the owner. Indeed, that held good not only in Ireland, but in England also. He had heard of a very good English landowner who offered each of his tenants the liberty of purchasing their farms at a moderate price; but not one of them would do so. A few, however, thinking the estate was about to pass into other hands, wished to bespeak certain other of the farms. Another cause of the failure of these clauses was the bad seasons, which had taken the heart out of the farmers of Ireland as well as of England. The Land Commissioners informed him, however, that there was a small but perceptible increase in the number of farmers now proposing to purchase their farms. But, undoubtedly, the third and most important reason why the tenants would not purchase on the present terms was because they expected better terms. The tenants fully expected that both Parties in both Houses of Parliament would, as it were, compete with each other to lay down better and better terms, which would bring landlord and tenant together. This was a very real and serious reason indeed, and it ought to make them think very seriously what they were about, and not hold out any hopes which could not be fulfilled without danger to the State, and without more danger to the Exchequer. Some of the causes which told against the Purchase Clauses were causes which the Government were very willing to remedy; and they were set forth with very great ability in the Report of the Lords' Committee of last year. The Report mentioned that in the case of land under settlement—and very much land was under settlement in Ireland—the purchase money must be invested under the Court of Chancery in some Government stock, so that an income of £1,000, reduced by the expenses of collection to £800 a-year, would only realize upon sale or investment an income of £600 a-year. The Committee recommended that the trustees should have the ordinary powers of investment in guaranteed and preference stock, and then very little loss of income would accrue. Another difficulty, which he was informed privately was a very serious one, was the technical difficulty of head rents and quit rents issuing as they did, in many cases, out of the whole property, and the Committee had recommended that they should be apportioned. Then there were all the difficulties, which land reformers knew so well, relating to the examination of title and the transfer and conveyance of estates; and if they undertook to remedy them in Ireland there was no reason why they should not attempt the same in England also. If the Government attempted this legislation, they should be prepared to do it boldly; and if the noble Lord was willing to purchase the favourable consideration of the Government by striking out the word "immediate"—["No, no!"]—because the noble Lord knew it was perfectly impossible for the Government to think of bringing in a Bill that year—the Government would be perfectly ready to accept so much of his Resolution in the sense which he had explained it. The noble Lord said he felt very much that one of the principal of the failures of the Purchase Clauses was that there was no intermediate body between the landlord and the tenant to buy the estates and retail them, as it were, to the tenants; and he did not regard the Land Commission in a favourable light for that purpose. He thought the noble Lord underrated the importance of estates being taken over bodily, and of being sold piecemeal to the tenants. He (Mr. Trevelyan) now came to the most serious features of the noble Lord's Resolution. They were two, and they appeared to be, first, that he wished to raise local debenture stock, to which farmers and traders in the neighbourhood might subscribe, and the interest of which should be payable, first, out of the rates, and be guaranteed by the Imperial Exchequer. The second feature of the noble Lord's scheme, as far as he could gather, was that the tenant should practically have the purchase money lent him at the rate of 3 per cent, and that, having the money so lent him, he would be able to buy property from the landlord, the noble Lord thought, at 22 years' purchase. He (Mr. Trevelyan) had already described to the House the methods by which Parliament had tried to secure the purchase of those farms by the tenants. The House must observe that those methods contained two important propositions, and they must act very cautiously before they abandoned them. Those propositions were—first, that the purchasing tenant should lay down a substantial part of the purchase money; and, secondly, that the time in which he engaged to repay the same should not be an unlimited one. Unless these conditions were observed the Government had no assurance that he was a *bonâ fide* purchaser, and that he valued the sense of proprietorship. They had no assurance that he was the sort of man that the State could accept, or that the noble Lord could accept, as a tenant. They had no assurance that the purchaser really wanted to buy his holding, but only that the owner wanted to sell it. The second condition, relating to the term over which the repayment extended, was also vital. If the payment was a very small one the purchaser came to regard himself merely as a rent-paying tenant; whereas, if he saw a substantial part of the purchase money discharged year by year, if he found himself gradually becoming very near being a landed proprietor, the case was entirely different. Unless these two conditions were fulfilled, they had no assurance that the estate would not be sold for a great deal more than its value. If the buyer found part of the price, and had to pay the rest steadily and promptly, he would take care not to buy the property for more than it was worth. But if all the money was to be provided by the State, you would have no individual self-interest called forth in fixing the price of the estate; you would have to fix it by a Government Department; and no Government Department in the world was ever to be trusted to fix the price of estates.

Colonel KING-HARMAN: If you fix rents under the Land Act, why should you not fix the price of estates?

Mr. TREVELYAN said, he was arguing that if you removed individual interest from the purchase of estates you could not arrive at a proper price. They had the fact that whereas, in 1880, the Church lands sold for 22 2-3rd years' purchase, in 1883 the price of land was about 19 2-3rd years' purchase. He would not enter into the cause of that. It was not his business; but it showed that there was a very great variation in the price of land from the 22 or 23 years mentioned by the Lords' Committee and adopted by the noble Lord. Neither of the two important considerations he had mentioned were fulfilled by the scheme of the noble Lord. Under his scheme the whole of the purchase money was advanced by the State, and the number of years allowed for repayment was so increased that the tenant was to sit at no higher rent than at present. It was, of course, a very attractive scheme—so attractive that it was necessary to look closely into it to see what made it possible for it to produce such a magical result—that the tenant should become owner at the same rent as before, and the purchaser should obtain full value for his land. He would just ask the House to consider whether there must not be some latent danger in a scheme so remarkably attractive. The real disadvantage that underlay it was in his opinion this—that the scheme looked very well on paper. There was no doubt the State could borrow at 3 per cent; but the whole question of success and failure lay in whether it could lend safely at 3 per cent on the terms and conditions laid down in the scheme.

Now, if they allowed a scheme of this sort to hold, it was equivalent to transferring the land of Ireland from the landlord to the State. The tenant would naturally prefer to pay a lower rent, and have his estate as well, rather than to pay rent for it in perpetuity. What would be the consequence of this change? The noble Lord thought the local bodies, so to speak, would act as a sort of buffer between the Exchequer and the tenant. He had himself great doubts as to that. They had not many opportunities of judging; but they had one opportunity, and that was the case of the seed loans.

Mr. O'CONNOR POWER: That was a case of famine and distress.

Mr. TREVELYAN said, that in the case of the seed loans money was lent to individual tenants with the Boards of Guardians behind them. The money was lent; and, in spite of the fact that the Boards of Guardians being there to act as a buffer between the Exchequer and the tenants, the result had been that representatives from most of the Boards of Guardians concerned attended on the Lord Lieutenant, and asked him to remit the moiety of the loan which still remained unpaid. One thing they must expect, that whoever was the landlord—whether the State or the private individual—there would be applications for partial remissions of rent through the whole country in bad seasons; and in the case of people who had had individual bad times there would be individual applications. The landlords had to entertain these applications now, and the State would have to entertain them, and it would be in a bad position to do so, because the State could not make the exceptions between individual tenants which a good landlord was always ready to make in case of need. It would either have to insist wholesale, or to remit wholesale. And thus they would be brought back to this—that the State would be obliged to employ probably the very same gentlemen who were now employed as land agents by individual landlords. If they advanced the whole of the purchase money they would put solvent and insolvent tenants on the same basis, and do away with the distinction between men who were fit for peasant proprietorship, and men who were unfit. Then there was the chance of political agitation in favour of the remission of Crown rent. He did not want to say anything to which hon. Gentlemen could take exception; but they could not forget that two years ago, after the tenants had got a certain measure for fixity of tenure and fair rent promised them, it was thought by a good many of them reasonable not to pay rent to the private landlords, because a certain political measure had been taken by the Government. What would have been the case if the Government itself had been landlord during that agitation? The difficulty of enforcing payment of rent in such a general disinclination to pay on account of political causes was almost insuperable. It was said that the State would have the power to deal severely and strictly with whole districts at a time. When, however, they considered what dealing "severely and strictly" with a whole district meant, it would probably be conceded that such very unpleasant discipline would be likely to do a great deal more radical harm than peasant proprietorship could do good. The tithe agitation seemed a good case in point. The Government granted to the Irish clergy compensation for the loss by the non-payment of tithes, and the Government became by statute entitled to enforce the payment of arrears due by the occupiers. The Attorney General instituted proceedings to recover £104,000; he recovered £12,000, at a cost in law expenses of £23,000. But it would be said there were the Protestant Church tenants. He allowed that the Church tenants had paid very well; but it had to be remembered, in the first place, that the property lay, to a very great extent, in districts where all rents were better paid than in other parts of the country; and, in the next place, that the Church tenants had already been paying their instalments for 10 years before there was any agitation against paying rent on political grounds; and, therefore, they had much at stake which they could not afford, even if they had wished, to lose. Over and above all, there was the process of weeding out the less solvent, industrious, and enterprizing Church tenants by the demand of a considerable part of the money in hand—a demand which was not made by the noble Lord. Therefore, to conclude, any scheme which involved the essential principles of the dealings which had been carried on with the Church property would be favourably received by the Government. Any reforms of the nature which he had described would be heartily accepted by the Government; and in the carrying out of those changes, which would require much and carefully-studied legislation, the time which could not be given this Session would be given at the earliest opportunity. But the Government did not see their way to assist any scheme which did not recognize those principles which he had laid down—payment of a considerable part of the purchase money in cash, a series of solid instalments for a comparatively short term of years to discharge the balance, and, as the result of those elements, a large margin of security for the repayment of the whole debt, and security, too, against political and social changes which they thought would be connected with a too liberal scheme. On these conditions the Government would willingly accept the Resolution of the noble Lord, though it would be quite impossible to accept the word "immediate," because under no circumstances could a measure of this importance possibly be introduced during the present Session. He congratulated the noble Lord on the manner in which he had brought this question before the House, and he hoped that legislation of great benefit to Ireland would spring from that discussion.

Mr. PARNELL said, the concluding words of the right hon. Gentleman had considerably dashed the hopes which some parts of his speech had aroused. It appeared to him that the cardinal points of the scheme which the noble Lord described with so much ability consisted, first, in the advance by the State in the manner described of the whole of the purchase money; and, secondly, of the interposition of a local authority, the precise nature of which the noble Lord did not specify, between the State and the tenant, both as regarded the arrangement of the purchase and the payment of the money, the rates being taken as collateral security by the local authority for the money advanced to them by the State. The right hon. Gentleman had omitted to state, however, the transparently overwhelming cause of the failure of the Purchase Clauses, the neglect of the State to advance the whole of the purchase money. In the case of the Church lands, the necessity for borrowing the portion not advanced by the State left the tenants at the mercy of the usurers, and reduced them to a condition of the greatest necessity. Therefore, in this case, the experiment was tried under the most unfavourable conditions. Land was then selling in Ireland at a higher rate than it ever reached before or since; and, the State advancing only two-thirds of the purchase money, the tenants had to borrow the remainder at a high rate of interest. Notwithstanding all this, the right hon. Gentleman had admitted that those tenants who became owners in this way had, almost without exception, punctually paid their rent-charges to the State or the Church Commissioners during the three years of fierce agitation, when from every tenant in Ireland who was not an owner it was exceedingly difficult, and in many cases impossible, for the landlord to obtain his rent. Going no further than that, they might almost claim that the experiment of peasant proprietary had succeeded in Ireland; and if the House would only bring itself to the task of removing existing difficulties—one of the foremost of which was this question of the advance of the whole of the purchase money by the State—they would lay the foundations for the creation of a large class of occupying owners in Ireland, and thus be able to see the approach of a successful and an honourable settlement of the great Land Question in Ireland. A variety of objections had been advanced to any large plan of this kind; and, undoubtedly, if the Bright Clauses of the Land Act were made to work successfully, they would have to anticipate the approach of a very large number of tenants for the purpose of obtaining their benefits, and the hypothecation of the security of the State to a very large amount of money; but had it, or had it not, been the policy of the Governments of this country in recent years to encourage a peasant proprietary in Ireland? He thought it had; and where they were able to point out that the policy of the State had been frustrated through the failure of the Act, surely the vastness of the operation should not be any deterrent in the way of remedying the difficulties which were proved to have arisen. The question of the advance of the whole of the purchase money was a leading difficulty in the matter. The tenant was unable, in most cases, to borrow the money he required at a reasonable rate of interest. The lender of the money necessary to make up a fourth of the purchase money was compelled to take a second charge upon the holding. Under the Land Act the landlord was entitled to become the proprietor of that second charge; but he (Mr. Parnell) could imagine that, as a rule, the landlord would not desire to trouble himself about collecting small rentals, where formerly he collected large amounts. As it had never been worth while to make two bites at a cherry, so it was scarcely worth while for the State to longer withhold the remnant of the purchase money, merely to insist on the principle that some portion of it should be advanced by the tenant. They commenced with two-thirds, and the amount then went on to three-fourths; and, perhaps, the right hon. Gentleman would now go as far as four-fifths. The Committee, which was presided over in the last Parliament by the First Commissioner of Works, adopted four-fifths. But, surely, if the Government desired to give a fair trial to this great stroke of policy, why should they stop at the limit of even four-fifths of the purchase money? It was plain that they adopted this limitation from a fear that at some future time there would be a strike against Crown rent, and that the Crown would be placed in much the same position that the landlords were during the last "no rent" movement. He thought, however, that the history of that movement showed conclusively that such an attempt on the part of the Irish tenants was not at all likely to take place. But before he went into this consideration, he wished to point out that the Government were actually, at the present moment, in the very position which they seemed greatly to dread to place themselves in, for they were in the position of having to collect rents for the landlords themselves, and to use the Forces of the Crown for that purpose. They were compelled to collect those rents during the "no rent" movement, some of which had been proved before judicial tribunals to be harsh and unjust. They were in some cases compelled, pending the action of the Courts, to collect these rents still; and they collected them, therefore, at a great disadvantage. He submitted that it would make all the difference in the position of the State if they adopted this scheme of peasant proprietary—he would not say exactly like that suggested by the noble Lord, because he did not bind himself to all its details; but, speaking for himself, he would say that, as far as its two main principles went—the principle of a lien on the local rates, or the interposition of the local authority, and the advance of the whole of the purchase money—he could see no objection to the former, and he approved the latter. It was a reasonable safeguard for the House and the Government to require that the local authorities or the ratepayers should undertake some of the risk in this great transaction and change; and if such a proposal in respect to peasant proprietary in Ireland were agreed to by all Parties in the House, the Government would be placed in a higher moral position, which could be justified with much more security and satisfaction than the position they now occupied, when they went to collect rents from the tenants he had referred to. The Chief Secretary referred to two examples for the purpose of showing the difficulties of collecting rents, and the disadvantages that attended the lending of money to local authorities in Ireland for the use of the tenants; but they were not, in the slightest degree, applicable to the case in hand. In the first place, the right hon. Gentleman quoted the example of the seeds loans. He (Mr. Parnell) must say that he quite expected the seeds loans and the objections of some pauper Boards of Guardians in the West to be trotted out before the discussion closed; but the circumstances of that case were entirely different from this from every point of view. He admitted that the Local Boards ought to pay, and ought not to ask for remission, and he said so in 1881; but when the loans were made, it was admitted that famine was coming upon the country, and even the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) was credited at the time when the hon. and gallant Member for Galway (Colonel Nolan) brought on his Motion for a supply of seed—he was credited, by well-informed persons, with the intention of bringing forward a Bill for the purpose of securing a grant for seed for Ireland. He (Mr. Parnell) brought forward another scheme of his own, which very properly was adopted by the right hon. Gentleman the Member for North Devon; but then the loan was given at that time as a means of meeting an almost unexampled period of distress in Ireland. It was granted to the very poorest of the community, to labourers, and to small cottier tenants under £4 valuation, and in such a hurried way that the ordinary safeguards which ought to be observed, and which were usually observed in transactions of this kind, were not observed. Thus, in consequence, much of the money was lent unjustifiably to persons who ought not to have got it. Much, too, of the money was spent in buying seed of an inferior quality; while all the machinery for putting this loan into motion had to be hastily devised, and consequently abuses arose which had prompted the Boards of Guardians in some of the more pauperized districts with the desire to be relieved of the necessity of paying the amount of their obligations. Now, the proposition of the noble Lord was one of a very different character. It was a loan that would be lent, not in times of great emergency, but calmly and deliberately, and not for the relief of cottiers and tenants, but that would be for the purpose of enabling perfectly solvent tenants to become owners of their holdings. Consequently, there was really no analogy between the two cases. The right hon. Gentleman had also called attention to the case of the tithe war, and in regard to which he (Mr. Parnell) might repeat what he had said with regard to the other question. Public opinion, undoubtedly, was strongly against the tithe charge, and it was supported by the Government for the time being, who brought in a Bill to remove the charge from the shoulders of the tenants to the landlords. The House must also bear in mind that the means of recovering the tithe-rent charge were, and still remained, very different from the means of recovering rent. The only way in which the Government had ever recovered the tithe-rent charge was by seizures of stock and by sales; for non-payment of rent it was possible to evict; but it was doubtful whether the soldiers of even a well-drilled and disciplined Army would be the instrument for turning the wives and families of tenants into ditches to starve. He thought all careful students of the "no rent" movement must be persuaded that it was exceedingly unlikely, if not perfectly impossible, that if the change were made as suggested by the noble Lord, and the tenants were asked to pay a reduced rent charge, less than the present judicial rents, and the tenants felt they were dragging a lessening instead of a lengthening chain behind them, that there would be refusals to pay, or that any agitation or any political Party would be able to do that which they were not able to do under more advantageous circumstances in the period from 1879 to 1883—namely, to induce them to refuse paying the annual amount which was necessary for the purpose of keeping a roof over their heads. The difficulties in the way of the proposed scheme ought not to be exaggerated. It was right that the House should inquire into all the surrounding difficulties, and all the risks which might be involved and entailed in an operation of such magnitude. But he believed that the change would be carried out with no risk to the Imperial taxpayer, and that the country would be a positive gainer in the saving of the amount which it was now paying to the police in Ireland of £500,000 or £600,000 a-year, not to mention the necessity of keeping a large standing Army of 30,000 men, which must entail a corresponding swelling of the Military Estimates. The House should not deliberately exaggerate or raise up phantoms in respect to this question. A good deal of the speech of the Chief Secretary, in examining the difficulties that beset the scheme of occupying ownership, was more like the speech of a special pleader might make in opposing what he knew to be a good case. When the Chief Secretary had had time to examine this matter more carefully, he hoped he would resume the policy of the Liberal Party when out of Office, and assist the noble Lord in endeavouring to effect a practical solution of this question. Why should there be delay? He hoped the noble Lord would not agree to such a plea, but would press his Motion to a Division, and take the sense of the House upon it. It was a non-contentious question, which only required discussion and examination by the whole House; and the only important point which had to be settled was the fraction of the purchase money which the tenant should be required to pay, and he trusted that that portion might be made so small as to become almost infinitesimal. It was a question very suitable for the consideration of a Grand Committee. It was not for him to make suggestions as to the method of carrying the scheme into effect; but he would ask the Government, having listened to the debate to-night, having heard the opinion of both sides of the House, and having heard the detailed suggestions, whether this question might not be considered during the next fortnight, and be embodied by themselves in a Government Bill, which might be submitted to a Grand Committee chosen from all sections of the House? He had no doubt that the result of the labours of such a Committee would be to return to the House a Bill which would go far towards a settlement of this most difficult Irish question—a question which, if left unsettled, must constantly remain a source of danger and difficulty to the State.

Colonel COLTHURST said, he thought that the Chief Secretary had raised unnecessary difficulties, and seemed to think that the proposal had departed from the lines which had hitherto been followed in similar proposals. The Government, however, were already committed to the theory that a peasant proprietary would be a good thing for Ireland. They had committed themselves to it in 1877, on the Motion of the present Chief Commissioner of Works, and again in the Act of 1881. No doubt, the Act of 1881 had changed the aspect of the question. He was one of those who believed in that Act. There was, however, no doubt that it had given so many advantages to the tenant that the number of tenants who would be willing to purchase was not so great as it otherwise would have been. He did not agree with the hon. Member for the City of Cork (Mr. Parnell) that the majority of the tenants would wish to avail themselves of facilities for purchase. The majority of the tenants had obtained what they desired—security of tenure, and security against arbitrary raising of rent. The number, he believed, would only be a minority, though a considerable minority. That circumstance, however, ought to be an inducement, rather than the reverse, in the eyes of the Government, to accept the proposal of the noble Lord, though, perhaps, not in its entirety. He saw great danger in the guarantee of Unions and County Boards, and believed that in many instances they would object to have responsibility thrown upon them. He did not believe there would be any serious default on the part of the tenants in paying the purchase money. He trusted that the Government would, as they had accepted two of the recommendations of the Lords' Committee, accept, or, at any rate, not refuse to consider favourably, the two last recommendations—namely, the provision of the whole of the purchase money by the State, and the extension of the time of repayment to 40 or 42 years.

Mr. GIBSON said, he would not stand long between the House and the Prime Minister. There were few questions more important to Ireland than that which had been raised by his noble Friend the Member for Middlesex (Lord George Hamilton). It was impossible to overstate the interest taken in the subject in Ireland—in fact, he (Mr. Gibson) could go further, and say it was impossible to overstate or exaggerate the unanimity of feeling on the subject in Ireland. Although many people regarded the question not exactly from the same standpoint as he and some of his hon. Friends did, they all recognized that there were many practical difficulties which would have to be overcome before a solution could be arrived at. It must be recognized by anyone who considered this question that the scheme of the Land Act had been largely disturbed in its operation by what had taken place since its passing, compared, at all events, with what was stated in Parliament, and what must have been the intentions of its authors. It clearly was the intention of those who presented the Irish Land Act to Parliament that the Purchase Clauses should have a substantial operation, and that the Tenure Clauses also should have a substantial operation. It was intended, he believed, judging from the speeches which were made, that the Purchase Clauses were to be looked to to provide a final and ultimate solution of the question; and that the Tenure Clauses were rather to be looked to to bridge over the interval—it might be a long one—before the final solution was arrived at. That was pointed out by the noble Marquess the present Secretary of State for War (the Marquess of Hartington), in the speech in which he referred, in the the City, to the Tenure Clauses as only supplying a *modus vivendi.* The Tenure Clauses, however, had had so much effect given to them, and they had been so widely appealed to, that, practically, they had driven from view the Purchase Clauses. In fact, it had been brought about that the Tenure Clauses had mainly occupied public attention in Ireland, and had mainly been appealed to; and that the Purchase Clauses had practically remained, he would not say a dead letter, but with very little operation. There was nothing novel in the Purchase Clauses of the Land Act of 1881; their provisions had been before Parliament and the Government for a good number of years; and, therefore, they might take it that the principle of encouraging the growth of peasant proprietorship and an occupying proprietary in Ireland was recognized as desirable, and the failure of which was to be deplored. He did not wish to discuss the details of the plan of his noble Friend the Member for Middlesex. The Resolution which appeared upon the Paper of the House was general in its terms, and pointed to the desirability of further facilities being afforded for the working of the Purchase Clauses of the Land Act. The noble Lord was bound—indeed, it was only fair, when he came before the House with that Resolution, that he should give the ideas which were present to his own mind as matters for the consideration of Parliament and the House. The question was a wide one, and might possibly cover a great portion of the land of Ireland in the occupation of the tenantry; but he (Mr. Gibson) did not think it would be found, at all events at first, to have a very wide and universal operation. He thought it would be worked gradually and tentatively; but it was, no doubt, a great proposal, and it would have to be approached, he would not say with caution, but with great prudence, and with a statesmanlike desire to realize all the difficulties around it. He had no doubt in his own mind—looking at Ireland, with its chequered and uncertain history, looking at the experience of recent years—that one of the soundest social and political policies to be applied to the country was to increase the facilities for creating a peasant proprietary, and developing into a healthy operation what were called the "Bright Clauses" of the Land Act. The guiding principles that his noble Friend the Member for Middlesex had laid down, in explaining the Motion he had introduced, were these—that there should be a larger advance made to encourage tenants, and that, for the safety of the State, and to prevent any possibility of loss to the State, it would be reasonable and fair, if there was any very large increase—certainly, if there was an increase up to the full amount of what was required for the purchase money—there should be the security of the rates. Now, these were the principles which his noble Friend had laid down in outline, and they seemed not unreasonable, but worthy of the favourable and full consideration of Parliament. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland, in his interesting speech, had practically admitted the soundness and fairness of the Resolution proposed. He had not denied at all that every syllable of the Resolution on the Paper applied, and he had only sought to qualify the time in which that Resolution might be applied; so that, practically, the House might take it that the Government conceded in principle the contention that was unanimously held by Irish Representatives on this matter—namely, that it was desirable that there should be a revision of the Purchase Clauses of the Land Act in order to give effect to the intentions of Parliament contained therein. Now, that being so, it was obvious the question could not be put aside by cavilling at the details. The broad points he (Mr. Gibson) went upon were these—that the present facilities had been found inadequate, and that further facilities for putting the "Bright Clauses" of the Land Act into operation were desirable and necessary. Now, the right hon. Gentleman the Chief Secretary for Ireland, practically admitting all these general assertions, took issue on the word "immediate." Well, that was all very well, of course, from the right hon. Gentleman's point of view; but he (Mr.

Gibson) thought the word "immediate," or some equivalent, was desirable, because it was the only word in the Resolution which suggested that it was not to be an absolutely abstract Resolution. If they struck out the word "immediate," they made it merely an abstract Resolution, and prevented it having any efficacy at all. This was no new question. On the 2nd May, 1882, Lord Granville, speaking with all the weight of his authority in the House of Lords, used these words—

> "Your Lordships are aware that the Land Act does not deal with the question of arrears. . . . . Then there are also what are popularly known as the 'Bright Clauses' of that Act. On both those subjects the Act will require revision; and with regard to that a detailed statement will be made in Parliament at an early date."—(3 *Hansard*, [268] 1923.)

That was a distinct statement on the 2nd of May last year. But it did not rest there, because, on May 8, Lord Granville used these words—

> "Your Lordships are well aware that, some days ago, I announced the intention of Her Majesty's Government to propose to Parliament three measures—one with regard to strengthening the administration of justice and the security of private rights in Ireland; one affecting arrears; and another affecting what are called the 'Bright Clauses.' Her Majesty's Government adhere to that intention."—(*Ibid.*, [269] 316.)

That was a statement made a year ago by one of the leading Members of the Cabinet in reference to this particular question. They then stated that this question required revision; they then stated that they were in a position soon to announce the intentions of the Government, and that a Bill was in preparation. In the face of that statement, and in the face of what had occurred since, was it not unreasonable to expect that his noble Friend the Member for Middlesex would consent to strike out from the Resolution that which gave it life? At that time of the evening (12.10 p.m.), and having regard to the fact that the Prime Minister was about to speak, he did not think it was reasonable for him to make any further observations in reference to this extremely important subject. It was a subject which anyone must have thought of largely who had thought at all on the future condition of Ireland; and he ventured to think that, whatever might be the effect of this Resolution, the House of Commons would affirm that, in its opinion, it was desirable that there should be some revision of the Purchase Clauses of the Land Act, and that that revision should be of a prompt, and not of a remote character.

MR. GLADSTONE: Sir, with regard to the Motion of the noble Lord opposite (Lord George Hamilton), and with regard to the speech of the hon. Gentleman who seconded the Motion (Mr. A. J. Balfour), I must say this—that I do not concur in the grounds upon which they appear to me distinctly to base their proposition. I concur in the proposition itself, with the exception of the word which my right hon. Friend the Chief Secretary to the Lord Lieutenant of Ireland (Mr. Trevelyan) has objected to; but I do not concur in the grounds upon which they appear to base it. They base their proposition, not upon the fact which I am bound to say the right hon. and learned Gentleman who has just sat down (Mr. Gibson) based his proposition—they do not base their proposition upon the great advantages of a peasant or farming proprietary; upon the soundness of the principle of such a measure; upon the security it would give for public order, and upon the unity of interest it would create between the class of peasants and the other classes of society, but upon their apprehension that more Land Bills are in preparation. It was not to confer a benefit upon the community at large, but to save the landed proprietors from more Lands Bills that this proposal was made. ["Oh, oh!"] I think I am strictly representing the entire effect of these speeches; and I must own that these statements, coming from such a quarter as they do, convey a deep impression of the unsettled state of the Land Question in Ireland at the present moment. At any rate, the hon. Member for Hartford (Mr. A. J. Balfour) will not deny that he represented it as such. I am not questioning the right of hon. Gentlemen to hold that opinion, if they think fit; but I am merely questioning the policy and the tendency of such a declaration. I doubt it; I do not agree with them. I believe that substantial justice has been done in Ireland. I believe that we have gone to the root of the matter, and have established relations, substantially just, between the landlord and the tenant; and, therefore, I am not ready to admit that the Land Question is unsettled, and I think the statements of the noble Lord the Mover, and the hon. Gentleman the Seconder of the Motion were most dangerous and impolitic. I look at this proposal, therefore, from quite a different point of view—namely, from the point of view borne by the proposal itself. I do not hesitate to say that I agree that the Purchase Clauses require revision, in order to meet the intentions of Parliament; because, in stating last year that we were not prepared to re-open generally the particular clauses of the Land Act, I went on to say that I did not extend that declaration to the question of the Purchase Clauses, any more than I did to the question of arrears. I cannot agree with the right hon. and learned Gentleman who has just sat down that my noble Friend Lord Granville ever promised, on the part of the Government, to introduce a measure into this House immediately. [Mr. GIBSON: I read Lord Granville's own words.] Yes; but they do not bear the construction the right hon. and learned Gentleman puts upon them. I should take the liberty of adhering to my own words; they were words spoken in this place, and I presume the House of Commons is prepared to accept on such subjects declarations which I may make. I can answer for these words; I cannot tell what words were used by Lord Granville, or whether the words quoted by the right hon. and learned Gentleman opposite were correctly reported. We agree, in order to meet the intentions of Parliament, there ought to be a revision in these clauses; but the right hon. and learned Gentleman who has just sat down holds these two doctrines; he holds that the revision is to be immediate. Speaking on the 12th June, and there being no Bill before the House, and no plan before the House, except a plan for none of the details of which he will be responsible, and when the House has been sitting for about four months, the right hon. and learned Gentleman says these two things—that the revision must be immediate, and that the question involves many practical difficulties to be looked at and overcome before a solution is arrived at. This is the practical proposition of the right hon. and learned Gentleman. There are, said the right hon. and learned Gentleman, a great many practical difficulties in the way, and these difficulties must be carefully looked at and overcome. There must be, he said, a careful and prudent caution, or prudence, or cautious prudence, or something like that. [Mr. GIBSON: Caution.] But there was another word; another epithet. [Mr. GIBSON: Statesmanlike prudence.] No, no. There was something much more telling and pungent than "statesmanlike prudence." Anyhow, the right hon. and learned Gentleman really thinks that all these practical difficulties can be looked at and overcome before a solution can be arrived at, and that when that process has been gone through, and a complex Bill has been framed, it can be introduced in this House so as to be passed into law during the present Session. That is the proposal he intends to force on the Government, through the medium of an adverse vote to-night, if he is able to induce the House to go to it. It is all very well for the right hon. and learned Gentleman, who does not propose to legislate himself in this matter, to play with edged tools. ["Oh, Oh!"] It is playing with edged tools; and it would be most culpable in the Government to give any promise to introduce a Bill in this House at the present time, unless they saw their way, in looking through all the formidable difficulties which presented themselves, to frame a measure, and obtain for it the sanction of Parliament this Session. It is not to be done; the right hon. and learned Gentleman knows it cannot be done; and, according to the announcement he has made, he is going to vote for a measure which will give a pledge that, in his own mind, he knows it would be impossible to redeem. Let us see how this matter stands. He has stated that the question is to enlarge the advance that is to be made, and to throw the security upon the rates. The question is a great deal larger than the right hon. and learned Gentleman has represented; it and the noble Lord opposite (Lord George Hamilton) fairly made it a great deal larger. The noble Lord, in his speech, fairly threw overboard the old notion of requiring the payment down of an instalment. The noble Lord based his plan entirely upon the notion of a reduction of rent, combined with the transfer of the fee simple, a reduction of the grant, not necessarily, in all cases, considerable; but the annual charge to be made on the tenant, under the plan of the noble Lord, without any proportion of the purchase money paid down in the first instance—the annual charge was to be kept within, and be below, and not above, the rent for which the tenant is now liable. The noble Lord made one most important and valuable admission. In a statement, which was couched in very emphatic terms—I will not attempt to repeat his words; but, if I use strong words, I do not think I shall use stronger words than those which fell from the noble Lord when he said he considered it would be most dangerous to place the State in the condition of creditor in the face of the peasantry and smaller occupiers of Ireland, and such a feature he proposed entirely to expel from his plan. Well, that is very important; because, if the noble Lord agrees that it is not safe to place the State in the condition of creditor before the mass of the Irish cultivators, the noble Lord must allow me to say that neither would it be safe to involve the State in pecuniary responsibility in connection with the purchase of Irish holdings with any unreal and illusory personage, placed between the State and the cultivators of the land of Ireland. Now, see what changes are proposed, and how different the scheme now before us in principle and in detail is from the schemes upon which hitherto Parliament has been content to go. I have said I cannot accept the word "immediate" in the Resolution of the noble Lord. While I recognize the duty of Parliament, I cannot consent to adopt words that I know it is impossible to act upon, and that no exertion of the Government, considering the engagements with which they are already charged, could by any possibility enable them to fulfil. Let us see what is the real bearing and effect of the main proposition of the plan before us. I am very glad to see that the hon. Gentleman the Member for the City of Cork (Mr. Parnell) recognized the introduction of the local authority in this case. I hold that my impression is that these clauses will have to be revised; that the revision, if it is to be made, ought to be of a serious character; and if it is to be of a serious character, it would be impossible to effect it except with the introduction of a local authority. On that principle I think the noble Lord proposes to proceed. He has not, however, communicated to us what the local authority is to be; and there, undoubtedly, rises a question of the greatest difficulty and of the greatest importance. The principle upon which all former proposals of this kind have been based has been that, while the creation of a farming proprietary—which was the happy phrase introduced by the noble Lord himself—while the creation of a farming proprietary is very desirable, the principal plan for bringing that proprietary into existence ought to be purchase with comfort, purchase with capital, purchase with candour, purchase with qualities tested to some extent, as a general rule, by the payment down of a proportion of the purchase money. The hon. Gentleman the Member for the City of Cork says we have altered the proportion of the purchase money to be paid down from two-thirds to three-fourths; but that is a slender ground for supposing that we are prepared to part with the condition altogether. How far we are prepared to go in this direction may appear at a later stage of this subject; but I do not see how it is possible to part with the application of that principle. Now, Sir, by the adoption of that principle, and by securing the higher character of our purchasers, we attained to the success we have attained under the Irish Church Act, and which we should have attained in a much larger degree under the Land Act had we not, as has been justly stated by the noble Lord and by the hon. and gallant Gentleman below the Gangway (Colonel Colthurst), removed the inducement to proprietorship in a great degree by giving to the tenant such a position, in the capacity of tenant, as conduced to his satisfaction. We then knew that by having these views of competency and character we had likewise some limitation to the extent of the transaction. Parliament would have reserved it in its power to consider, from time to time, whether these transactions ought to be relaxed. And now let us see what is proposed in substance, because, in substance, this is the common view of the proposal of the noble Lord and the hon. Member for the City of Cork. I do not say they adopt all the propositions of the Committee of the House of Lords—the Report of which Committee, by the way, contains the most subversive and dangerous doctrines that were ever proposed in our time by a public body—or all the suggestions set forth by the whole work; but they abolish the payment down of any portion of the purchase money, and they say to the tenant—"You are now to become the proprietor of your holding, either with a reduction, or, at all events, with no increase of rent; you are to make no effort, you will be called upon for no payment down—in fact, we shall call upon you to pay something less than your rent for a limited number of years, and then the fee-simple will be yours." I have not made up my mind, quite irrespective of the credit of the State, that such a plan as that is defensible in principle; but it appears to me one of the broadest and most extended propositions that was ever brought before Parliament, and, as the right hon. and learned Gentleman the Member for the University of Dublin, who is ready to vote for an immediate Bill, says, there are many practical difficulties which really require to be overcome before a solution can be arrived at. What is, then, the consequence? Every cultivator of the soil in Ireland is to be told —"We come to you now and we offer to you that, without taking any steps whatever, without entering into any new engagements whatever, with, probably, a remission of some part of your present engagements, you shall be, in a given number of years, the proprietor of the holding which you now occupy." Will not the first consequence of that proposal be that every holder in Ireland will claim to become a proprietor? A man is to make no effort, he is to do nothing; if he has been an indifferent cultivator, or even an indifferent character, as such he may continue; without any effort, or sacrifice, or engagement whatever, he is simply to make his demand, in order to come within the circle of this proposal; he is to become the proprietor of his holding, irrespective of his capital and of his character. I may state, moreover, that the proposal would involve the question of a State guarantee to the extent of several hundreds of millions—£300,000,000 or £400,000,000——

Mr. PARNELL: About £100,000,000.

Mr. GLADSTONE: I cannot give the absolute figures; but I venture to say it would not be far short of £300,000,000 of money that would require to be involved in the guarantee I am now speaking of. That guarantee, according to the noble Lord, is to be covered by the local authority.

Lord GEORGE HAMILTON: The right hon. Gentleman is mixing up the scheme of the House of Lords with my proposal. I never proposed that the State should guarantee £300,000,000 of money.

Mr. GLADSTONE: I never mentioned anything of the kind. I am endeavouring to work out what I think are the consequences of the noble Lord's proposals. He asked that the payment down of a portion of the purchase money is to be dropped; and I think, under his plan, a man is to become proprietor of his holding without any payment down, but simply by paying for a moderate term of years—I think 40 years—the very same or less rent than he pays now. It is for that that I make the noble Lord responsible, not for what he stated, but for what are the necessary consequences of his proposals. The consequences of his proposals are, that every man having offered to him the fee-simple of his holding and some reduction of rent, it is absurd to ask, will that man take it, or will he not? Of course, he will take it. Therefore, you have to deal with the whole land of Ireland. ["No, no!"] I am glad to hear that straightforward recognition of the true facts of the case. At this moment I am called upon to say I will immediately carry this into effect. This is a question which would involve, as I say, a guarantee by the State of £300,000,000 or £400,000,000 of money; or, as the hon. Member for the City of Cork says, of £100,000,000 of money. The noble Lord interposes a local authority. In principle, I think that a valuable and essential feature of his plan; but I do not know whether the noble Lord thinks there are local authorities existing in Ireland who can pledge the people of Ireland and the property of the country to a guarantee of £300,000,000. I do not think there are such bodies in existence, although I do not pretend to speak dogmatically and with authority on this subject. I am not aware of any local authority which can be in the mind of any man, except Grand Juries or the Boards of Guardians. The Grand Juries are totally out of the question upon the present basis; and with respect to the Boards of Guardians, which were elected for entirely different purposes, and with functions of not one-fiftieth part of this scope and importance, I cannot undertake to bring in immediately a Bill for placing in their hands the obligations of a plan which is to involve this enormous, gigantic, and almost incredible guarantee. I think those are reasons which ought to show that we could not possibly go further than my right hon. Friend the Chief Secretary to the Lord Lieutenant has gone. I am determined, for myself, to preserve my own mind entirely free on the question whether it is possible to amend the Purchase Clauses of the Land Act without dealing with what I hold to be a question of extreme urgency, a question of great urgency for Ireland —namely, the question of its local institutions. I can conceive that a judicious measure of local institutions for Ireland might immensely simplify the difficulties of this measure; but this one thing more I wish to say in protesting against this enormous transaction, that if we call upon bodies quite incompetent for the purpose of entering upon vast pecuniary engagements on the part of the people of Ireland, the meaning of that is, that the whole affair will be an imposture. The interference of a local authority will only serve to cast dust in the eyes of the people in this country, and we should attain no other end than we should have attained if we had recognized at once and adopted at once the principle which the noble Lord declared to be intolerable—namely, the principle of becoming at once the direct creditors of all the cultivators in Ireland. Undoubtedly, regard for the interests of the English taxpayer is one of the motives, and probably a great one, in my mind, against the adoption of any scheme of that character; but I must say there is another motive behind it, working in the same direction, and carrying us to exactly the same conclusion, which I deem to be more weighty still, and that is a motive which must be all-powerful in the mind of every right-minded person in this country—namely, a desire to promote harmony and goodwill between the peoples of the two countries. To place the State and the Treasury of this country in the position of creditorship is like putting a bastard premium on every attempt to disturb the relations between England and Ireland. I am not sure what are the intentions of the noble Lord; but the right hon. and learned Gentleman the Member for the University of Dublin desires to give us an order to legislate immediately on a question which, nevertheless, he ingenuously confesses is surrounded by many practical difficulties which require to be carefully looked at. I think I have shown why I cannot adopt this Resolution in the sense in which it was adopted, certainly by the hon. Seconder (Mr. A. J. Balfour), as a mere defence against the rights of property in Ireland, the security of which he thinks we have impaired and weakened, but which we think we have saved and rescued. ["Oh! oh!"] It is all very well to jeer; but these are solemn convictions; and the hon. Gentleman who is accustomed to indulge in that mode of expression, would do well to allow solemn impressions to be delivered in a proper manner, and without that description of interruption. It is my deep conviction that the Land Act of 1881 has been a great attempt, and, in the main, a successful attempt, to deal with the Land Question of Ireland, and to vindicate the liberty of property in Ireland. I cannot adopt this Resolution upon the principle that property has been shaken; but I adopt it on totally different grounds. I adopt it, without any pledge to take immediate action upon it until we can dispose of the difficulties with which it is surrounded; I adopt it on the ground of the intrinsic merits of the policy which it contemplates in Ireland—the placing of a considerable portion of the land of that country in the hands of those by whom that land is cultivated.

MR. O'CONNOR POWER said, that whatever opinion the House might form of the proposal of the noble Lord the Member for Middlesex (Lord George Hamilton), he was sure those who had sat in the House during the greater part of the debate, as he (Mr. O'Connor Power) had done, would feel thankful to him for the very useful discussion which his Motion had provoked. And he was further sure they would all be glad to join the right hon. Gentleman the Chief Secretary for Ireland, in acknowledging the moderation with which the noble Lord had stated his views. With reference to the speech of the right hon.

Gentleman the Prime Minister, he (Mr. O'Connor Power) would like to call attention to two important points upon which the right hon. Gentleman dwelt. In the early part of his speech, the right hon. Gentleman said he was glad to hear that his hon. Friend the Member for the City of Cork (Mr. Parnell) had recognized the necessity for some collateral security by the local authority, if any advance for this scheme was made by the Imperial Exchequer. He wished to remind the House that, the first time in those discussions that the local authority was referred to as a satisfactory collateral security, was, sometime ago, when he (Mr. O'Connor Power) had the honour of submitting a Motion on the question of migrating tenants from one part of Ireland to another. He was sorry the noble Lord the Member for Middlesex had not honoured him with his support on that occasion; but he was bound to say there was a decided coincidence of thought between them, because, when he mentioned to the noble Lord, privately, the method which he intended to adopt for giving collateral security, the noble Lord stated to him that he (Lord George Hamilton) had been for some time devoting considerable attention to the question, and that was precisely the kind of collateral security which he had devised in reference to his scheme for peasant proprietorship. What he noted particularly in the important statement of the Prime Minister was, that he had stated that should these clauses be seriously revised, a local authority must be called together. Now, he regarded that as a very important declaration on the part of the Prime Minister; and, as far as it went, it was a very satisfactory declaration. He did not say that the risk contemplated by the Prime Minister was as much as the right hon. Gentleman seemed to think; that if the assent of the Government was given to any scheme of this description, the credit of the Imperial Exchequer would be pledged to the extent of £300,000,000. Of course, when the Prime Minister spoke on any financial question, it was very difficult to say a word on the subject; but he was sure the right hon. Gentleman would not object to his putting a question with all humility and with all sincerity. If it were true that, by the adoption of the noble Lord's proposal, the credit of the State would be pledged to the extent of £300,000,000, he would like to know, was the credit of the State, under the Act of 1881, whereby the State was prepared to advance two-thirds of the purchase-money, pledged to the extent of £200,000,000 at the present moment? If the risk, so far as the Government had gone, were not as he had described it, he (Mr. O'Connor Power) failed to understand how the risk would be so great as the right hon. Gentleman contemplated if this proposal were carried out. He regarded the present discussion as a very important and serious one on many grounds. When he considered the position which the noble Lord the Member for Middlesex, who moved the Resolution, occupied in the House, and what his relations to the landed proprietors of Ireland were; when he considered also the cordial manner in which the scheme of the noble Lord had been supported by the hon. Gentleman the Member for the City of Cork (Mr. Parnell), he (Mr. O'Connor Power) was inclined to regard the debate as the beginning of the end—the beginning of the end of one of the greatest agitations that had ever stirred the people of Ireland, and one which must be completely settled before anything like social or political tranquillity could be restored to that country. When the Land Act of 1881 was introduced into the House, he did not conceal his opinion regarding it. He regarded it as a great measure, and he still did so. He did not adopt the description which had been given of the measure on either side of the House as absolutely correct. It had been described, on the one side, as a settlement of the Land Question; and, on the other side, it had been described as a measure which had left the Land Question still unsettled. Now, he thought if they were to say that the Land Question was not completely settled, they would arrive at the best and most accurate description of the state of things in Ireland. The noble Lord who moved the Resolution laid down a proposition in connection with that measure which he (Mr. O'Connor Power) certainly was not able to endorse. The noble Lord said that, notwithstanding the effort which Parliament then made, every evil which the Government had had to deal with had been aggravated and intensified. The noble Lord was looking at the Land Act entirely from the landlords' point of view. The noble Lord told the House that a measure which had cut down rents by 20 per cent had aggravated the evils from which the tenant farmers had for more than half-a-century suffered. No one would persuade the farmers of Ireland that a measure which had given them such substantial relief had not gone a great way towards removing the difficulties which beset them. What was complained of was this, that the settlement originally proposed by the Representatives of the tenant farmers in Ireland remained yet untried under conditions which were likely to bring complete success. In the early stages of the Irish National Land League movement, the main proposals of the League were adopted by the tenant farmers in Ulster just as loyally and as cordially as by the tenant farmers in Connaught and the South of Ireland. Nevertheless, when Parliament came to deal with the subject, it dealt with every aspect of the agrarian question but the one aspect on which the Representatives of the tenant farmers had mainly set their hearts, and that aspect of the question was such legislation as would enable the tenant farmers to become, by honest purchase, the proprietors of their farms. The speech of the noble Lord the Member for Middlesex was noteworthy in other particulars; but he (Mr. O'Connor Power) would like to say a few words with reference to the speech of the hon. Member for Hertford (Mr. A. J. Balfour), who seconded the Motion of the noble Lord. Speaking disparagingly of the Land Act, the hon. Gentleman said that for 40 years this country had been endeavouring to settle the Irish Land Question. He (Mr. O'Connor Power) did not think that was historically true, for he believed that the first real attempt to deal with the Land Law of Ireland was made in 1870. He was aware that, in the earlier years of the present century, several Land Acts were introducted and passed; but what was their object? Why, did they think they were passed for the purpose of securing to the tenants the fruits of their industry? No, they were not; their object was simply to strengthen the landlord in the exercise of his unjust privileges, enabling him to deprive the tenant of the fruits of his industry. He contended, therefore, it was only within a very recent period that Parliament had realized that the interests of property were represented by the tenant farmers of Ireland as well as by the gentlemen, who had hitherto accumulated in their own hands the whole resources of the land of the country. Well, reference had also been made to the position of the Land Act in Ireland and the position of a State tribunal, making contracts between man and man. Well, he supposed that nobody ever intended that that tribunal should be a permanent institution. He, for one, did not believe in its permanency. He looked upon it as a necessary evil—an evil rendered necessary by half-a-century of legislative neglect, and the silence by which Parliament had received the complaints of the Irish tenant farmers over so long a period. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant (Mr. Trevelyan) seemed to throw some doubt upon the utility of a scheme of this kind, because he said the peasant proprietors were a class of men who rapidly ran into debt—["No, no!"] He believed it was the right hon. Gentleman who had made that statement—["No, no!"] At any rate, somebody had said it in the course of the debate, and it was a statement very often made in discussions of this kind. Well, what he (Mr. O'Connor Power) had to ask was, did the persons who, at the present moment, held the land in Ireland never run into debt?

Mr. TREVELYAN: From the position I hold in Ireland, it is necessary that I should correct a statement of this kind. I hope the hon. and learned Member will allow me to remind him that it was an hon. Gentleman who spoke below him, who made the statement he attributes to me—that since the Land Act tenant farmers had continued to run into debt as much as they did before.

Mr. O'CONNOR POWER said, he would acknowledge that he had made a mistake. The truth was, the tenant farmers of Ireland, at the present moment, were obliged to run into debt. A great deal of light was thrown upon this question by the evidence collected by the Duke of Richmond's and Lord Bessborough's Commissions, as would be seen by any hon. Member who took the trouble to look at it. It would be found that large numbers of the tenant farmers of Ireland were embarrassed by debt at the present moment, and that large numbers of the landlords were in the same position. To tell him that the peasant proprietors were a class who rapidly ran into debt—and be readily acknowledged it was not the right hon. Gentleman the Chief Secretary for Ireland, but the hon. Member for Hertford (Mr. A. J. Balfour), who made that statement—was only to expose one of those evils which afflicted people in all positions and grades of society. He would ask the House to attend to one very important statement made by the hon. Member for Hertford. The hon. Member had said he admitted very freely—and his whole heart seemed to go out in the admission—that the political aspirations of the Irish people were practically the result of misgovernment. Now, that was a very important declaration, and it was marvellous how much political wisdom one could always learn in this House when listening to statesmen in Opposition. It was marvellous to hear the statement coming from the Front Opposition Bench below the Gangway. That, he maintained, was the side of the House to which a person, anxious to complete his political education, should listen attentively. That acknowledgment, on the part of the hon. Member for Hertford, accounted for a great deal of dissatisfaction which had prevailed in Ireland for so many years, but which many of the hon. Member's Friends had been accustomed to attribute to very different causes indeed. Well, they had heard the whole objection to a scheme of this kind—namely, that a "no rent" agitation against the Government would be substituted for a "no rent" agitation against the landlords; but if such an agitation as that were to be got up, his firm belief was that it would have no possible chance of success. Where it was apparent to the whole public mind of the country that the tenant was really called upon to pay upon the property which was ultimately to become his own, but that he was not called upon, in any year, to pay a larger margin of the profits which he derived from his farm, than would enable him to live and thrive in his own home, popular opinion would insist upon the money being paid. Under these circumstances, he trusted that the effect of this discussion would be to induce Her Majesty's Government, if not during the present Session, at any rate at the earliest opportunity which would present itself, to consider this question in the serious light indicated by the right hon. Gentleman the Prime Minister, and that they might be afforded an opportunity of grappling finally with the difficulties of agrarian law in Ireland.

Mr. GLADSTONE: In answer to the question put to me, I have to say that, if the hon. and learned Member will consult the 33rd section of the Land Act, he will find that the whole effect and scope of the Purchasing Clauses of the Land Act are limited to the issue of the sum which Parliament may grant from year to year for the purpose.

Mr. O'CONNOR POWER said, he was very much obliged to the right hon. Gentleman for so kindly answering the question. Had he (Mr. O'Connor Power) not been swayed by that erroneous consideration, he should have availed himself of the opportunity of stating that the operation of the scheme of the noble Lord would never attain the magnificent proportions sketched in the speech of the Prime Minister.

Mr. PARNELL said, that in reference to the statement of the Prime Minister, that he (Mr. Parnell) had estimated the value of the land in Ireland at only £100,000,000, he wished to say that he had never stated anything of the kind, and had never intended to make such a statement. He had estimated that the value of the land in the occupation of tenants which the noble Lord intended to deal with—that was to say, the actual residential owners of the soil—at a sum of money per annum, which would amount, at 20 years' purchase, to £100,000,000.

Sir STAFFORD NORTHCOTE: Sir, though I had not the advantage of hearing my noble Friend (Lord George Hamilton), when he brought forward his proposal, I was already aware, by previous communication with him, of the general lines of that proposal; and it appears to me that the discussion, so far as I have had the opportunity of listening to it, amply justifies the step my noble Friend has taken in bringing the matter before the House, and the general line of the argument which he has pursued. I think we may consider the matter from this point of view. The Irish Land Act was roughly divisible into two parts—that is to say, into the part which related to the tenure of land, and the clauses which related to the purchase of land. I do not wish, of course, to revive all the controversies which took place with regard to the Tenure Clauses. There were great differences of opinion, and I must confess that I was very far indeed from being satisfied with the arrangements made as to the Tenure Clauses; but we always felt that the measure must be regarded as a whole, and that the Purchase Clauses were as much and as important a part of the measure as the Tenure Clauses. Such was the view also of the Government; and it was a view which they expressed repeatedly, both while the Act was under consideration in this House, and after it had become law, and questions arose as to the alteration of it. My noble Friend has brought forward, with a competent knowledge of the state of Ireland, a proposition which is, in fact and in substance, that which Her Majesty's Government have more than once told us of—that the scheme of this Act is incomplete unless the Purchase Clauses become a reality; and that the Purchase Clauses, as they at present stand, are in need of revision, in order to make them such as they were intended to be, and such as we think they ought to be. My noble Friend has made certain suggestions; and there is no doubt that, however ingenious and however well-considered those proposals may be, it is quite impossible that they should be adopted without careful consideration. Indeed, my noble Friend never proposed that anything should be laid aside, and that you should at once legislate upon the particular lines he suggested for consideration. But what my noble Friend does propose, and does urge upon the House is, that this matter should not be put aside; that you should not say—"Oh, well, some day or other no doubt these matters may be dealt with, and must be dealt with; but we cannot take them up yet, and we don't know when we may take them up." Therefore, my noble Friend uses a word which has been made the subject of some remark—namely, "immediate" revision. I do not understand that my noble Friend, by the use of the word "immediate," means that the Government should, on Thursday next say, proceed to introduce a Bill on the subject; but that Her Majesty's Government should take this matter up in a practical way, with a view to the elaboration of a proposal that they would recommend to the House, and that they should introduce it with no more delay than is necessary for the full and careful consideration of the subject. In making this proposal, my noble Friend does not at all originate any idea. He only takes up an idea already thrown out, and stated to the House by the Government themselves. As long ago as the 2nd of May last year, the Prime Minister, speaking upon the Irish policy of the Government, said that there were certain points that ought to be brought forward.

MR. GLADSTONE: What is the page in *Hansard*?

SIR STAFFORD NORTHCOTE: 1966. The right hon. Gentleman said—

> "I have already partially and generally opened the views of the Government on one of the most important points which we think it our duty to open--namely, the question of arrears, a point, I may say, of the most pressing and immediate importance; and I also stated that an early opportunity would arise for touching on another point of great importance and interest—the question of the Purchase Clauses."—(3 *Hansard*, [269] 1966.)

So that, in 1882, the right hon. Gentleman thought an early opportunity would arise for dealing with this subject; and that was not an accidental statement of the right hon. Gentleman in the heat of debate—it was no accidental, but it was a deliberate statement, made on the initiation of the right hon. Gentleman himself, and it entirely corresponded with another statement that was made in the other House of Parliament, by Earl Granville, on the same night, in which he spoke of the revision of the Act, and said that a detailed statement would be made on the subject in Parliament on an early date. Well, all my noble Friend desires is that these statements and these promises of the Government, made in both Houses of Parliament, with deliberation and authority, should be redeemed, and that this matter should not be allowed to stand aside and be put off until a time which may never arrive; but that we should be assured that the matter is to be taken up seriously and earnestly, and without unnecessary delay on the part of the Government. If there be any difficulty about the construction and wording of my noble Friend's Motion, I would suggest that he should abandon the particular word "immediate," and be satisfied to take the words suggested by the Prime Minister himself—namely, "an early revision." The Motion then would be of a character that would pledge the House and the Government to take the matter up seriously, and would not, at the same time, involve any impossible undertaking to set aside all other Business, for the purpose of proceeding with this subject, however important it may be. There can be no doubt the questions that have been raised by my noble Friend, and raised from his point of view, and put forward with very great ability, as I am sure they must have been, because I know my noble Friend has considered this matter for some time, and has elaborated a proposal which, from his position, he was well able to do — there can be no doubt, I say, that my noble Friend has made a proposal with thought, and with knowledge; but it will be necessary, of course, that such proposal should be very carefully weighed. And, though I do not myself think this Motion is open to the objections which have been urged by the right hon. Gentleman, I would prefer that it should be considered and discussed from a Ministerial and official point of view, rather than that we should take it up in the manner in which it stands, I would venture to appeal to my noble Friend and the right hon. Gentleman opposite, to know whether they could not accept my proposition to substitute the word "early" for "immediate?" It seems to me that if that were adopted we should be in substantial agreement that this is a matter of great importance, deserving of early and immediate consideration, and as of early legislation as the circumstances will admit.

Mr. GLADSTONE: I think the proposal of the right hon. Gentleman opposite not an unfair one, and I shall have no objection to accept it.

Mr. ILLINGWORTH said, that, as a financial question, he considered the one under notice to be one of the most stupendous that had ever been brought before Parliament; and he ventured, also, to think that, as a political question, it was of scarcely less importance. Taking the amount of money which would be required, upon the smallest scale that the hon. Member for the City of Cork (Mr. Parnell) put it down at, the cost would be £100,000,000. It had occurred to him (Mr. Illingworth) while the Prime Minister was speaking, and pointing out there should be some limit to the claims put forward by the tenants of Ireland, that there was some truth in the interruptions that were made by hon. Members sitting below the Gangway on the Opposition side of the House, and who were entitled to speak for the tenants of Ireland, to the effect that all the tenants would like to come under the scheme. If that were so, the cost would be much greater than was estimated by the hon. Member for the City of Cork. It would come to this—that on £15,000,000 a-year rental, at 20 years' purchase, which was a moderate computation, it would give a sum total of £300,000,000, which would have to be provided by the Government of this country, in order that only one portion of Her Majesty's Dominions might be benefited. And he ventured to think that the question did not end there. What would the cottiers and crofters in Scotland think if they were to accede to this demand? Claims would be made, both by landlords and tenants, with remarkable unanimity. And, further, he wanted to know whether the modest Agricultural Holdings Bill, now before Parliament, and intended to meet the dissatisfaction and complaints of English agriculturists, would be, for one moment, regarded as worthy the consideration of this House? He could, therefore, only express his amazement at right hon. Gentlemen, who had been in Office, and who he could still imagine to be dreaming of the coming day when they would once more be in Office, endeavouring to bring upon the Administration these enormous responsibilities. He was amazed to see these right hon. Gentlemen absolutely discussing as to whether, in this contest, the word "immediate" or the word "early" should be used. When they were discussing the Arrears Bill, and there was a probability of the National Exchequer being called upon for a paltry sum of £250,000, they had the whole Conservative Party up in arms against it—for £250,000 was all that it was contemplated applying out of the Exchequer in regard to arrears. So scrupulously careful were the Conservative Party of the interests of the British taxpayer, that there was absolute unanimity on the other side of the House against such a proposal. [An hon. Member: It was a grant that was proposed.] He was coming to that question presently; but, as a matter of fact, he could see very little difference between the one thing and the other. He could see very little difference between this scheme and that with which they were only too familiar in the past with regard to loans in Ireland. He could understand why the Irish landlord should push forward this scheme, and present it to the House, under the most plausible aspect; but he confessed he expected to hear from the hon. Member for the City of Cork (Mr. Parnell) and the hon. and learned Member for the county of Mayo (Mr. O'Connor Power) some argument, showing the proposal of the noble Lord would be of great value and importance to the tenant classes of Ireland; but he had not heard a single syllable from either one or the other of these hon. Gentlemen in that direction, and yet they were thoroughly well acquainted with the circumstances of the Irish tenants. Not one syllable had come from either of them as to the value of this proposal to the great mass of the Irish tenantry; and that should, in some degree, influence English opinion in considering this stupendous proposal. The hon. Member for the City of Cork, and other hon. Members, had declared that the reason why there had been so little interest shown in the purchasing of land under the Land Act was that the Tenure Clauses had, in the main, proved so satisfactory and sufficient that there would be very little advantage to the Irish tenantry in burdening themselves with the nominal ownership of their holdings. One-half of the tenantry of Ireland were tenants under £10 a-year valuation. Even the noble Lord himself did not expect that the annual charge, in the shape of interest, to be much, if any, less; and he Mr. Illingworth) believed it would prove an additional charge, unless the State was to suffer, as substantial as the full rent now being paid. If, on the other hand, the tenant had an absolute security in his holding—almost fixity of tenure—as a general proposition it would be the most unwise course possible for the Irish tenantry, many of whom were now steeped in debt, and had been going through bad seasons, to rush in and burden themselves with the nominal ownerships in that country. He held that there was no urgency in this matter, and that the value of the proposal to the Irish tenantry would be so small that, even supposing the Purchase Clauses of the Act were made as easy in working as possible, and there were modifications such as had been suggested by the Prime Minister and the Chief Secretary for Ireland, he did not believe there would be above 10 per cent of the tenantry who would be considering their own interest by at once taking up nominal ownership, and burdening themselves with the obligations which that ownership would involve. But there were some other points worthy of a moment's consideration. It had been held that the State would run no risk, and that the safeguard against risk would be some intermediate body; that the Representatives of Ireland and the local authorities would act as a buffer. He, however, held that it was an essential condition for any sound scheme of this kind, that there should be a margin maintained on the part of the State, before it advanced one step towards this arrangement. Why should Ireland be an exception? Would any business-man say he knew of any banker or building society or land association in this country that did not require this elementary and preliminary security? It was needed on every ground—as a proof of good faith and an evidence of the capacity and character—the sobriety and power of self-denial on the part of the person seeking to borrow. There were many bubble schemes outside, and he hoped the House would hesitate long before countenancing a scheme which was infinitely more of the character of a bubble scheme than of anything else. It could not be said that he had been unfriendly during the last few years to any rational proposal for improving the condition of the Irish people. He had voted—and he believed every other hon. Member in that part of the House was equally ready to vote—for everything he and they believed to be in the interest of the Irish tenantry and not unjust to this country. But he was satisfied that peasant proprietorship could not be an institution of any permanence in Ireland, except by steady growth. Examples must be taken, in the first instance, of a few of the tenants who had great energy and had some credit, and who could, therefore, provide the means of paying a fair instalment before they ventured on the rights of ownership. He thought that both the Prime Minister and the Chief Secretary for Ireland had gone quite far enough in the undertaking they had given. But, even supposing that this Resolution was accepted with the word "immediate," he did not understand that the Prime Minister accepted the exposition of what the Resolution meant either by the noble Lord the Member for Middlesex (Lord George Hamilton), or the hon. Member for Hertford (Mr. A. J. Balfour), or the right hon. and learned Member for the University of Dublin (Mr. Gibson), or even the form in which the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) had urged the proposal. What he (Mr. Illingworth) understood was, that the Government would commit Parliament to the consideration of what was possible and reasonable and fair to the Empire at large, in order to give greater effect to the Purchase Clauses. So far he (Mr. Illingworth) should be glad to operate with the Government.

Lord GEORGE HAMILTON said, he should be very glad to accept the Prime Minister's Amendment, and substitute "early" for "immediate." He wished to explain, however, that he had never meant by his proposal to borrow £300,000,000. He had stated that there were in the Irish banks £30,000,000; a small portion of which could be raised without the sanction of the Treasury, and only on the supposition that the local authorities would take the responsibility. Under the magnifying influence of the Prime Minister, that sum had become £300,000,000, to be raised and placed on the ratepayers; but he had distinctly stated, in moving his Resolution, that he accompanied it with various suggestions, which were not meant to be an interpretation of the Resolution, or to bind everyone who voted for the proposal.

Motion, by leave, *withdrawn.*

Resolved, That, in the opinion of this House, an early revision of the Purchase Clauses of the Irish Land Act, 1881, is necessary, in order to give effect to the intentions of Parliament contained therein.—(*Lord George Hamilton.*)

ORDER OF THE DAY.

HIGH COURT OF JUSTICE (SERVICE OF WRITS) BILL.—[Bill 184.]

(*Mr. Anderson, Mr. Cochran-Patrick, Mr. Buchanan, Mr. James Campbell, Mr. Bolton, Mr. Arthur Elliot, Mr. Armitstead.*)

SECOND READING.

Order for Second Reading read.

Mr. ANDERSON, in moving that the Bill be now read a second time, said, it was a Bill for the purpose of removing a grievance which had been felt for some years past in Scotland. Under the Procedure Clause of the Judicature Act of 1875, the Lord Chancellor was empowered to make certain Rules, which were to take effect out of the jurisdiction of England. The word "Scotland" was not used in the clause, and, through that fact, it had passed unnoticed and without discussion. The attempt to bring Scotland under the jurisdiction of the English Courts had been repeatedly made before, and always defeated. It had been made in 1852, in 1854, and by a direct Bill in 1875; but what had failed in a direct manner had been carried in an indirect manner, and had passed unnoticed, and so a grievance was inflicted upon Scotland. In a short time Scotland began to feel the mistake she had made, and a deputation waited upon the then Lord Chancellor (Earl Cairns), to get him to modify to some extent the Rules which had then been in force for one year. That modification only went the length of requiring that an affidavit should be made that there was no Court of competent jurisdiction in the town in which the defender resided, and the Judge was instructed to take into consideration the amount of debt, and the comparative cost of following it in Scotland and in England. Practically, the question of cost and the question of amount had been altogether ignored. The only consideration by the Judge had been whether there was a competent Court in England, rather than whether there was one in Scotland; and, upon that point, affidavits had been made in the most reckless manner by creditors in England. They had not hesitated to make affidavits as regarded Edinburgh, and Glasgow, and other large towns in Scotland, that there was no Court of competent jurisdiction to try their cases. Men who would make false affidavits, would equally make claims that were false; and the result was, that many claims had been made against Scotchmen, and writs served upon them, through which they had been dragged to the English Courts to defend themselves. The consequence was, that it had become the practice among Scotchmen, who were so served with writs, either to compromise the case, or pay the claim; because they found it much cheaper to get off in that way, than to come to England to defend themselves. In that way, a great deal of injustice had been done. He had presented Petitions from all the principal Bodies in Scotland about this matter, upon which there was a very strong feeling. He was aware that the right hon. and learned Lord Advocate had been in negotiation with the noble and learned Lord Chancellor, with a view of getting him to modify his Rule; but the people of Scotland were tired of these negotiations. They had been going on for a year, and had hung fire; and, in the meanwhile, this grievance had been increasing. After all, even if the Rule were altered, that would only be a temporary relief. What they wanted in Scotland was to be replaced by Statute in the position in which they were previous to the passing of the Judicature Act of 1875; and that was the object of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Anderson.*)

SIR R. ASSHETON CROSS said, he thought that, before a Bill of this importance was read a second time, or even discussed, the House ought to know what the view of the Government was upon this matter. According to the statement of the hon. Member for Glasgow (Mr. Anderson), the matter had been brought by the right hon. and learned Lord Advocate before the noble and learned Lord Chancellor, and the views of that noble and learned Earl, who was, of course, more interested in seeing matters of this kind properly carried on than anyone else, ought to be laid before the House before the Bill was proceeded with. If the hon. and learned Solicitor General could now state those views, he (Sir R. Assheton Cross) should have nothing more to say; but, unless that hon. and learned Gentleman was prepared to state what course the Government, on the responsibility of the noble and learned Lord Chancellor, were going to take, he should move that the Bill be read a second time that day week. In order to get the noble and learned Lord Chancellor's views, he would move that Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Tuesday next."—(*Sir Richard Cross.*)

Question proposed, "That the word 'now' stand part of the Question."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, this was a matter which, as the hon. Member for Glasgow (Mr. Anderson) had stated, had been under the consideration of the noble and learned Earl the Lord Chancellor. There was no doubt that, by virtue of certain Rules under the Judicature Act of 1875, the power of jurisdiction had been extended beyond the limits previously existing. At the same time, he (the Solicitor General) thought this Bill went rather far. The matter was, however, at present under consideration by the noble and learned Lord Chancellor, and the right hon. and learned Gentleman the Lord Advocate, with a view to so modifying the Rules in respect to the service of writs outside jurisdiction, as to put the matter on a sound and satisfactory basis. If the Bill were read a second time it would, in his opinion, require amendment. It would not be satisfactory in its present form, because it went too far. He did not deny that, at present, there was justice in the complaints with regard to the service of writs under the existing law; but this Bill would withdraw, from the jurisdiction of the English Courts, matters which it seemed to him ought to be within that jurisdiction; and, therefore, if the Bill were passed into law, there would be power of jurisdiction in Scotland over English cases in which no such jurisdiction would exist in England. There was no doubt that the view taken by English and Scotch lawyers was somewhat different. Under the English law, the point that regulated, in a great measure, the question of jurisdiction was the place where the cause of action arose. If the contract and breach were in this country, then it was regarded as a matter within the jurisdiction of the English Courts, even though, when the right of action arose, the parties were resident in Scotland. On the other hand, the Scotch Courts regarded the jurisdiction as regulated, mainly, by the question of domicile of the parties to the suit; but the Scotch Courts had a jurisdiction which English Courts had not. If they found an Englishman in Scotland possessed even 1*s*., they could issue a writ quite apart from the question of residence of the Englishman in that country. Therefore, the hon. Member for Glasgow (Mr. Anderson) was not correct in supposing that an Englishman could not be sued in Scotland, unless he was a resident there. Englishmen could be, and were, sued in any case where they had property. Therefore, there was that material distinction between the jurisdiction of the two countries; and what they must try to do was to regulate these two jurisdictions. It seemed to him that it would not be fair to leave jurisdiction in Scotland in actions against Scotchmen, and yet deprive the English Courts of all jurisdiction in every case in which the man was resident in Scotland. He thought no one would doubt that there were cases in which it would not be unreasonable that the parties should be sued here, even if resident in Scotland. Supposing there were some questions with regard to something done in respect to property which a man had in England. He might have property here, and there would be jurisdiction here, and he might commit some act here with regard to that property, yet he would have to be sued in Scotland, although the whole matter arose from property here, and the contract in respect to it was made here, and the breach of the contract took place here. That seemed to him to be in excess of what was reasonable. [Mr. ANDERSON: The 2nd clause saves that.] The 2nd clause provided for attachment within the jurisdiction; but effects could not be attached in the jurisdiction in the sense in which effects could be attached in Scotland. There was none of that general power of attaching in England which existed in Scotland; and, therefore, if a man, having committed a breach of contract in England, resided in Scotland, he would have to be sued in Scotland. The matter was, therefore, not quite so simple as the hon. Member for Glasgow would suggest. This was a delicate matter to deal with; but he did not think it was at all impossible to arrive at some fair adjustment of the relative jurisdictions of the two countries, by a modification of the Rules. To the extent to which the Bill went, the Government could not assent to it; but, to some extent, they would be prepared to assent to it, and he thought it probable that all that was required could be done by a modification of the existing Rules.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that with all his hon. and learned Friend the Solicitor General (Sir Farrer Herschell) had stated with regard to the technicalities of the existing Rules relating to jurisdiction of the Courts as to Scotchmen, he entirely agreed. The general rule on which they proceeded in the North, was that of the plaintiff following the place of the defendant, and, on the whole, they believed that was the more rational mode of procedure. It was this Rule which, in their judgment, had been largely infringed by the Rules of procedure of 1875. There was this great peculiarity about these Rules—that they were laid on the Table of Parliament without any discussion, and without having been observed, so that their existence had only come to be known by cases which, unhappily, were cases of great hardship, and which went on increasing down to the present time. There had, consequently, been a very strong and just feeling on the subject raised in Scotland. It was quite true, as his hon. and learned Friend had stated, that he (the Lord Advocate) had been in communication with the noble and learned Earl the Lord Chancellor, with the view of obtaining a modification of the existing Rules, so as to obviate the grievance which was complained of; and he was very hopeful that these negociations might be successful. He did not understand that his hon. and learned Friend disputed that there was a great deal in the Bill which was deserving of fair consideration, and that such modifications as were necessary to meet the case might be made in Committee. He was willing to admit that the Bill, in some respects, did go too far; but that would be a matter easily modified. And he thought that, possibly, one way of dealing with the subject would be to agree to the second reading, subject to the understanding that the Committee stage would be taken only at the end of such an interval as would enable them to see whether there would be success in regard to the communications as to the Rules of procedure that had been going on; and that any modifications, necessary to bring the Bill into consistency with the common principles of jurisprudence, would be adopted.

MR. ARTHUR ELLIOT said, it was not altogether satisfactory to Scotch Members that a matter of this kind should be dealt with by negotiations between the right hon. and learned Lord Advocate and the noble and learned Earl the Lord Chancellor. It was not merely a question as to what was the best system of law adopted in the two countries; but the question was, whether the English Courts should have jurisdiction, by virtue of certain Rules made by Judges? Several attempts had been made in Parliament to obtain for England that jurisdiction they had subsequently acquired; but they had failed through the exertion of the Scotch Members. The Scotch people were, naturally, somewhat outraged in their feelings, that jurisdiction, which had been refused to the English Courts by Parliament, had subsequently been obtained in a somewhat unfair manner. It was satisfactory to know that the Rules were to be reconsidered; but he (Mr. Arthur Elliot) should like to see the jurisdiction of the Scotch Courts rest upon Act of Parliament, rather than upon any agreement with the noble and learned Lord Chancellor.

MR. COCHRAN-PATRICK said, he thought the House was in a somewhat peculiar position in respect to this Bill. They had heard from the right hon. and learned Lord Advocate an expression of one opinion; but they heard from the hon. and learned Solicitor General for England a very different opinion. He (Mr. Cochran-Patrick) could not make out whether the Government proposed to assent to the second reading of the Bill, on the understanding that there should be a certain interval before going into Committee, or whether they proposed to oppose the Bill. It would be satisfactory to the House to have a distinct expression of opinion from Her Majesty's Government as to what they proposed to do. If there should be any doubt about the matter, and they went to a division, he should have no hesitation in supporting the second reading of the Bill. The Bill carried out what was deemed—as the right hon. and learned Lord Advocate had properly put it—the law of Scotland. The law of Scotland was secured to that country by the Treaty of Union explicitly. It was confirmed in 1852, in 1854, and in 1873, and still more explicitly in the very year in which that privilege, to a certain extent, was lost. In 1875, when the exemption was proposed to be taken away from Scotland, it was deliberately refused by the House. It was afterwards brought in by means of Rules, the scope of which was not understood or thoroughly appreciated by Scotch Members at the time, or, undoubtedly, they would have received considerable opposition. He hoped the Government would give a clear and decided expression of their opinion, and that the Bill might be allowed to be read a second time.

MR. HORACE DAVEY said, that the House was placed in rather a remarkable position; for they had two Law Officers of the Crown, he would not say virtually contradicting each other, but taking a different line to each other. He understood the hon. and learned Solicitor General was opposed to the second reading of the Bill.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he never said anything of the kind. His right hon. Friend opposite (Sir R. Assheton Cross) asked him what negotiations had been going on; and what he said was, he thought there was a good deal in the Bill that was perfectly right, but he thought the Bill went a great deal too far, and he understood his right hon. and learned Friend near him (the Lord Advocate) also to say it went too far.

MR. HORACE DAVEY said, he did not say that his right hon. and learned Friend (the Lord Advocate) had said that he (the Solicitor General) was opposed to the Bill; but what he said was, that he understood him to be opposed to the second reading, and he now understood him to be opposed to the second reading. Then his right hon. and learned Friend rose, and said his views differed somewhat from those taken by the hon. and learned Solicitor General, and he proposed, as he (Mr. Horace Davey) understood, to support the second reading of the Bill. He supposed that if the Government intended to support the second reading, it would be of no use dividing upon the question; but if the right hon. Gentleman the Member for South-West Lancashire persevered in his Motion, he (Mr. Horace Davey) should certainly support it. He did not think that this was a Bill which ought to receive second reading, and he would tell the House shortly why. The only case in which a person resident in Scotland, out of the jurisdiction of the High Court of England, had to serve a process in an English Court, was where the contract in which the action was brought was made in England, or where the breach of the contract was in England, or where the property in respect of which the action was brought was in England. What hardship was there in a gentleman resident in Scotland—not necessarily a Scotchman—being sued in an English Court for the breach of a contract? What hardship was there in that? If this Bill were read a second time, it would be perfectly impossible, if a person committed a breach of contract in Carlisle, to sue him in England, if he chose to go across the Border. If there was a grievance, he should be glad to remedy it; but he thought the House was entitled to a little more explicit statement as to what the grievance was, before it was asked to pass a Bill of this character, which he (Mr. Horace Davey) thought would create a great change in the procedure of English Courts. He did not think it was satisfactory that a Bill professing the principle of this Bill should be passed by the House at that hour of the morning (1.15), without a more explicit statement of the grievance which it was intended to remedy than he had yet heard.

Sir WILLIAM HARCOURT said, he thought the hon. and learned Member who had just spoken (Mr. Horace Davey) misunderstood the position of the right hon. and learned Lord Advocate and the hon. and learned Solicitor General. They were both agreed. They both agreed on this, that the existing state of things that had arisen on all sides had altered the condition of people in Scotland to their disadvantage, and that this was a thing that ought to be remedied. As he understood it, a man whose business and transactions happened to be in Scotland, might be brought to have his case tried in England, simply because a letter or two might have passed in England with reference to the matter. That, certainly, was not a convenient state of things, and it was one that ought to be remedied. That being clearly understood, the only question was whether this Bill remedied it. He understood that both his right hon. and learned Friend the Lord Advocate and the hon. and learned Solicitor General agreed with the hon. and learned Gentleman the Member for Christchurch that the Bill went too far, and that it made provisions in the matter which the grievance hardly warranted. He thought everybody was agreed that it was proper that this evil should be dealt with by Bill, and he thought a reasonable course would be to give a second reading to the Bill, and then have a postponement of the Committee stage until the matter had been duly examined, and it had been ascertained what form the Bill should take.

Mr. WHITLEY said, he fully approved of the view taken by the hon. and learned Member for Christchurch (Mr. Horace Davey). He (Mr. Whitley) represented purely commercial interests, and he could assure the Government that this Bill would very seriously affect the commercial interests of the country. There was no doubt whatever that the cause of the alteration of the law, or of the Rules of procedure, was that, in the past, great injustice had been done. It became a question whether the debtor was to seek the creditor or the creditor was to seek the debtor. He thought it was a hard case that, if a debt was contracted in London, or Manchester, or Liverpool, and the debtor went to Scotland, the creditor must be told, when the debt became payable, that he must go to Scotland and sue in a Scotch Court. As a matter of fact, hundreds of pounds were lost by mercantile men in Liverpool and other places, rather than they would go to the Scotch Courts. He must confess he had not been aware that there was such a great distinction between the Scotch and the English law; but he did think that they should all agree that the real principle of justice was that, wherever a debt was contracted, in that place the money should be paid. He believed the present law had worked well and greatly to the satisfaction of the country. [" No, no!"] He was speaking for the commercial bodies of the country; and, although hon. Members said " No! no," he maintained that he was correct; at any rate, he should like to see some Representative of the commercial interests get up and say that he thought the principles of this measure could be maintained. He very much regretted that it was not in the power of those who thought with himself to go against the concentrated force of the Scotch Members and the Government in this matter. For his own part, he was strongly opposed to the principles of the measure, and was satisfied that throughout England very strong opposition would be entered against it. He believed that if this measure were passed, there would be throughout the country such an expression of opinion against it, that the Government would be compelled to listen to it. If the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) divided the House against the Bill, he (Mr. Whitley) should certainly go with him.

Sir R. ASSHETON CROSS said, he had no right to speak again except by the permission of the House; but, after the statement they had had from the Secretary of State for the Home Department (Sir William Harcourt)—if he properly understood it—he did not think it would be advisable for him to press his Motion to a division. What he had wanted to get from the Government was an understanding that they would assume the responsibility of this measure, and put it in a proper form. It was clear from the statements of the right hon. and learned Lord Advocate and the hon. and learned Gentleman the Solicitor General, that there was some diversity of opinion upon the subject; but, if he understood the Government aright, there was to be an assimilation of the law, and the laws of the two countries were to be placed upon an equal footing. If the hon. Member in charge of the Bill (Mr. Anderson) would postpone the Committee stage, in order to enable the Government to place on the Paper Amendments which would carry out their views, he should be willing to withdraw his Motion.

Sir WILLIAM HARCOURT said, he did not know anything about the Government placing Amendments on the Paper. What he had said was, that they could not support the measure, unless they were satisfied that it was a proper one, and would carry out satisfactorily the views they entertained upon the subject.

Mr. W. H. SMITH said, it was understood that the evils to which the right hon. Gentleman had distinctly alluded should be dealt with in this Bill. The Bill should not be allowed to pass without the law in both countries being placed on the same footing. It was perfectly impossible to maintain a difference in principle between contracts in one country and contracts in another; therefore, if this Bill was accepted by the House, it should be distinctly understood that the Government would see that Amendments were introduced into it which would place the position of mercantile classes, both in England and Scotland, on precisely the same footing.

Mr. RAMSAY said, that what the Scotch Members desired was, that prosecutions of every kind should be placed in the same position, so far as Scotland was concerned, that they were in before the passing of the Judicature Act. If there was anything in the measure that was opposed to the interests of Englishmen, and their fair and just claims as regarded liberty of prosecuting in Scotland, it was quite understood, he should think, after what had fallen from the hon. and learned Gentleman who had spoken from the Front Ministerial Bench (the Solicitor General), that these things would be modified. They might rely upon it that the law would be so altered as to place them in the position in which they were before the passing of the Judicature Act of 1875. A complaint had been made by an hon. and learned Gentleman who spoke below the Gangway (Mr. Horace Davey), that the hon. Member for Glasgow (Mr. Anderson) had given no sufficient exposition of the grievances of which they had just cause to complain; but the truth was, that that hon. Gentleman desired to save the time of the House, and, therefore, made a much shorter statement than he otherwise would have done. The right hon. Gentleman opposite (Sir R. Assheton Cross), who had always been favourable to the fair consideration of Scottish claims, would, he trusted, withdraw his Amendment to the Motion for the second reading; and he was certain that the hon. Member for

Glasgow would then, at once, agree to the proposal that the Committee stage of the measure should be postponed for such a period as to give adequate time for the consideration of any negotiations that the right hon. and learned Lord Advocate might be engaged in at the present moment with the noble and learned Earl the Lord Chancellor. The Scottish Members desired that the rights of their countrymen should be secured to them by the State—rights that were secured to them originally by the Act of Union. These rights must not be infringed, unless there were some cause for it; and of such cause, in the present case, he had not heard an explanation.

Mr. STUART-WORTLEY said, he was inclined to agree that there was a grievance in this matter; but the cases were few in number, and he thought that the English Members had a right to claim reciprocity. If the Scotch Members wished to clip the wings of the English Courts, the House had a right to say that the somewhat antiquated methods of founding jurisdiction which obtained in Scotland should be curtailed. *Primâ facie*, this Bill would appear to enable a person to come across the Border from Scotland, to stop a fortnight in this country, and re-cross the Border without paying his hotel bill.

Mr. DICK-PEDDIE said, the hon. and learned Member opposite (Mr. Stuart-Wortley) had expressed doubt whether there could be more than a very few cases of the application of the Rule of 1875 similar to that which had been stated by the right hon. Gentleman the Secretary of State for the Home Department; but he (Mr. Dick-Peddie) could assure the hon. and learned Gentleman that there were very many cases of almost exactly the same kind. A statement had been drawn up by the principal legal Bodies in Scotland, in which many illustrative cases were given; and it would be found that, in many instances, these resembled the example given by the Secretary of State. From the Return laid on the Table last year, which he (Mr. Dick-Peddie) had moved for, he found that there were about 120 cases in 1881 in which writs of summons had been served on persons in Scotland; and the House would easily understand how serious the grievance must be if any material number of these cases were of the kind described by the Home Secretary. The hon. Member for Liverpool (Mr. Whitley) had stated that the working of the Rules had given universal satisfaction to the mercantile classes of England. He (Mr. Dick-Peddie) had no doubt that it had done so, for the mercantile classes of England had had it all their own way; but he suspected that, were a similar right to that conferred by the Rules on the English Courts with reference to Scotland conferred on the Scotch Courts with reference to England, the satisfaction of the mercantile classes in England would soon undergo some diminution. He might remind the House that when the Rules were first adopted in 1875, they gave the English Courts the same rights over persons in Ireland as over persons in Scotland; but the Irish Members took up the matter so warmly that, in order to pacify them, a similar power was given to the Irish Courts to that conferred on the English Courts, so that Ireland now enjoyed reciprocity in that matter. It had been stated that Scotchmen had very little right to complain in this case, because the Scotch Courts had always claimed those rights of arrestment which had been described in the debate. If those rights were unreasonable, and the cause of just complaint on the part of Englishmen, then the proper way was to deal with them by direct legislation; but it was unreasonable that a jurisdiction which had belonged to Scottish Courts from time immemorial should be met by Rules not embodied in an Act of Parliament, but drawn up by English Judges and appended to an Act, and the effect of which was not submitted to, or, at least, not considered by, the House. There could be little doubt that these Rules were adopted by the English Judges as a set-off against the rights exercised by the Scotch Courts, which had been so strongly commented on. The grievance was one which was very deeply felt in Scotland. The position of the Scottish people had been seriously altered by the Rules appended to the English Act, the provisions of which had never been brought before the Scottish people, and the operation of which had been of a serious nature. The Return which he had obtained showed that between the 1st March, 1877, and the 1st March, 1881, writs of summons were served on defendants in Scotland in 420 cases, and proceedings under the Rules were constantly taking place, and he believed in a constantly increasing ratio. Strong representations had been again and again made on the subject by persons representing the Scotch public. About a year ago a very influential deputation waited upon the right hon. and learned Gentleman the Lord Advocate and the Earl of Rosebery, and received a promise of redress. From time to time Questions had been put in the House on the subject, but nothing had been done; and, meanwhile, new cases of injustice were going on under these Rules at the rate of upwards of two a-week. It was most important, therefore, that there should be no delay in the passing of such a measure as that of his hon. Friend the Member for Glasgow (Mr. Anderson), or in carrying out the long-promised modification of the Rules, so as to remove a just cause of complaint by the people of Scotland.

Mr. WARTON said, he had to complain that legislation by Judges, instead of by Act of Parliament, took place too often. There was an increasing disposition on the part of Ministers to bring in numbers of Bills, in which clauses could be inserted by anybody, by the Board of Trade, by the Judges, or by anyone, provided they were laid on the Table, and submitted to Parliament, a proceeding which, in reality, was nothing but a farce. The question under discussion was one as to the rights of an ancient Kingdom, a country which, although closely united to us, was, in the eyes of the law, a foreign country. The question was, whether the rights of these people should be taken away by some English Judges, under certain Rules which had never been considered by Parliament. He did not wish to say much about the law, and the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) had spoken sound common sense on the subject.

Sir R. ASSHETON CROSS said, he understood that the hon. Member for Glasgow (Mr. Anderson) assented to the postponement of the Committee stage of the Bill for a fortnight, and that before that stage took place they would, at all events, have the result of the conference between the right hon. and learned Lord Advocate and the noble and learned Earl the Lord Chancellor. On that understanding, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 26th June.

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 4) BILL.

On Motion of Mr. John Holms, Bill for confirming certain Provisional Orders made by the Board of Trade, under "The Electric Lighting Act, 1882," relating to Barton, Eccles, Winton, and Monton, Carlisle, Croydon, Luton, Margate, Nelson, Rochester, Scarborough, and Sudbury, *ordered* to be brought in by Mr. John Holms and Mr. Chamberlain.

Bill *presented,* and read the first time. [Bill 223.]

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 5) BILL.

On Motion of Mr. John Holms, Bill for confirming certain Provisional Orders made by the Board of Trade, under "The Electric Lighting Act, 1882," relating to Bermondsey, Clerkenwell, Hampstead, Holborn, Hornsey, Saint George's-in-the-East, Saint Giles's (Brush), Saint James's and Saint Martin's London, Saint Luke's, and Wandsworth, *ordered* to be brought in by Mr. John Holms and Mr. Chamberlain.

Bill *presented,* and read the first time. [Bill 224.]

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, 13*th June,* 1883.

MINUTES.]—Public Bills — *Ordered—First Reading*—Education (Scotland) * [226].

Second Reading—Metropolis Improvement Provisional Order (No. 4) * [214]; Poor Law Guardians (Ireland) [30]; Employers Liability Act (1880) Amendment [33], *negatived;* Surrey (Trial of Causes) [65], *debate adjourned;* Statute of Frauds Amendment * [204].

Report of Select Committee—New Forest (Highways) *.

Report — Elementary Education Provisional Orders Confirmation (Cummersdale, &c.) * [163]; Local Government Provisional Orders (Poor Law) (No. 3) * [192]; Local Government Provisional Orders (No. 5) * [194]; Local Government Provisional Order (Highways) * [193]; Local Government Provisional Orders (No. 7) * [196]; Tramways Provisional Orders (No. 4) * [201].

Third Reading—Local Government Provisional Orders (Poor Law) (No. 2) * [177], and *passed.*

ORDERS OF THE DAY.

POOR LAW GUARDIANS (IRELAND) BILL.—[Bill 30.]

(*Mr. M'Coan, Mr. Gray, Mr. O'Sullivan, Mr. Macfarlane.*)

SECOND READING.

Order for Second Reading read.

Mr. M'COAN, in moving that the Bill be now read a second time, said, as the measure had been several times before the House, and had twice passed a second reading, it would not be necessary to go into details of the changes which it proposed to make. At the same time, he might indicate its main features, for the benefit of those who might not have been present on the occasions he referred to. The measure was very simple and in no sense revolutionary, but only introduced three changes, the necessity and reasonableness of which he believed was generally recognized. The present system of electing Poor Law Guardians was established in 1838, and many abuses had arisen under it, which the present measure sought to remedy. In the first place, the House was aware that the Boards consisted of both *ex-officio* and elected members, and that landowners possessed a cumulative vote—six as owner and six as occupier—thus giving each proprietor 12 votes as against the single vote of the ordinary ratepayer. That was perfectly reasonable and equitable, because the landlord paid half the poor rates, and the Bill did not propose to interfere with his privilege in that respect. Under the present system, however, these 12 votes were utilized by means of proxies, which led to great abuses. The agent, or some other representative of the landlord class, usually collected these proxies, while on the other side the rest of the ratepayers brought all their influence to bear in securing the election of what he might call the popular candidate. In these elections every kind of device was adopted by each party—and in saying so he did not rely upon his own opinion, but upon the Report of a Commission which sat and investigated the whole question—in order to secure the return of their candidate. The present system of voting led also to abuses in the case of the individual ratepayers, who registered their votes on open papers left at their houses by policemen, and collected on the following day. Results proved that these were frequently tampered with. Indeed, from the moment the election began the abuses were equal on both sides. [Colonel King-Harman: No, no!] The landlords brought all the influences which were possible under the system to bear upon their tenants, so as to control their votes. The bailiff was sent round to threaten, cajole, and influence in every possible way the various ratepayers. If one tenant wanted a piece of bog, the hope of his receiving it was held out to him if he would vote as the landlord wished. It was idle to say that the influence thus brought to bear upon the ratepayers was not both undue and corrupt. The popular party, he conceded, similarly made every effort to have the influence on the other side quite as undue and corrupt. He did not wish to use over-strong language, for it usually recoiled; but in many instances some priests were not too careful how they brought their influence to bear, and by hook or crook they exercised it against the landlords; so that with the landlords on one side, and the ratepayers, shopkeepers, and priests on the other, it became a question—if he might say so without disrespect—of "pull devil, pull baker!" These abuses could be possible only under a system of open voting. Their practical result would not be so great if the functions of Boards of Guardians were limited, as originally, to the application of the rates for the relief of the poor. But now they exercised powers far beyond those possessed by similar Boards in England or Scotland, and it became all the more necessary to guard against the possibility of abuse. In 1877 a Bill had been introduced by Sir Colman O'Loghlen, substantially the same as the one before the House; but it was beaten on the second reading by a majority of about 40. In the following year, however, the hon. Member for Carlow (Mr. Gray), then representing Tipperary, succeeded in carrying it to a second reading by a majority of 44; but, owing to its having been blocked, it never reached a third reading. After that the whole question of the election of Poor Law Guardians was referred to a Select Committee, who made a Report against the Bill. The Bill now before the House proposed three changes—first, to substitute ballot for the present open system of voting; secondly, to substitute triennial for annual elections; and, thirdly, that the votes should be given in person. The second change was proposed owing to the arguments urged by the opponents of the Bill, that yearly elections by ballot would cause great trouble and expense. By such a change not only would the expense not be increased, but it would be greatly reduced. As to the third change proposed by the Bill—namely, that the votes should all be given in person—objection had been taken on the other side of the House that it would be great hardship on a landlord who did not reside in the Union, and perhaps did not reside in Ireland at all, to have to register his vote in person; but the interest of the majority and the interest of electoral purity were paramount in this case, and must not give way to the convenience of a landlord. As regarded the change from yearly to three-yearly elections, that was supported by the Report of the Committee of 1878, who were unanimous in their opinion that it should be made. As to the substitution of the ballot for open voting papers, although that change was not supported by the Report of the Committee, it had been advocated by all except the official witnesses; and gentlemen who were not familiar with the matter might, perhaps, be reminded that the Bill proposed in no way to interfere with the present administrative checks exercised by the Local Government Board over these elections. The present system, however, afforded no guarantee whatever that the election was an expression of the free will of the electors, and the result was that the electors were not substantially represented on the Boards, and therefore had not that control over the administration of their own funds which the law intended them to have. It would be well to note the quarter whence opposition came to this Bill. Last year it was opposed by an hon. and gallant Landlord (Colonel King-Harman), who had given Notice of opposing it today. As against the influential class in Ireland which the hon. and gallant Gentleman represented, there was, he believed, an agreement of opinion in its favour on the Ministerial side of the House. He thought he had said nearly all that need be said on the subject, except, perhaps, that since last year the Government had accepted the principle of the Bill, and had undertaken, as he understood, this year to deal with it in a measure of their own. If that were done, he should gratefully retire, leaving the matter in more competent hands than his own; but, if not, he should certainly press the Bill to the utmost extent of his power.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Coan.*)

Colonel KING-HARMAN, in moving that the Bill be read a second time on that day six months, said, he wished, if the Government did intend to deal with the matter themselves, they would do so in a manner more fair and equitable towards owners of property than was proposed in this Bill. There were many points in this measure with which men experienced in Irish local affairs would agree. For instance, very few persons would object to the term of office of members of Boards of Guardians being extended to three years, nor to any means by which elections might pass off more peacefully and rationally. At present the voting for Guardians was made a pretext for agitation purposes, for rowdyism, and for a great deal of undue influence. [Mr. Kenny: On the part of the landlords.] The hon. Member who interrupted had very little knowledge of the subject. The hon. Member who moved the second reading of this Bill admitted that the landlord who paid half the rates had an equitable right to considerable influence in the election. By the clause in this Bill, to which he (Colonel King-Harman) objected, that power was taken away by a provision which obliged every elector to deliver his vote in person. He had no objection to the elector, especially the poor man, receiving the protection which the secrecy of the ballot afforded him; but by the 4th clause of the Bill, to which he had referred, an owner who held land and paid rates in more than one electoral district would be, to a large extent, practically disfranchised, as would also all sick and infirm persons, and all landlords who resided out of the country. It might be said that if the landlord chose to reside out of the country he had no right to expect to exercise his vote. But he disputed that proposition altogether, for whether a landlord resided out of the country or in it, he equally paid a large proportion of the rates, and had a right to an equitable representation in deciding as to how these rates were to be spent. He, however, would give a personal illustration. He held votes and paid rates in Boyle Union, in Ballymahon, and six other Unions; but if he had to record his vote in person, and if, as would probably be the case, the elections took place all on or about the same day, he would be practically disfranchised in all but one or two of those Unions. A suggestion was once made by the hon. and gallant Member for the County Galway (Colonel Nolan) to exempt the landlord from the obligation of voting in person, and that, he thought, was a very fair solution of the matter; and Mr. Kavanagh, when he sat in that House, propounded a scheme combining the two systems of election. That system was very favourably received by the House, but, like many other suggestions which had been favourably criticized by Parliament, nothing came of it. He could not agree with the hon. Member who introduced the Bill that its adoption would lead to to a better class of men coming forward as candidates for seats on the Poor Law Board. He held an entirely opposite opinion, and believed that, so far from improving, it would tend to lower the class of the candidates. Allusion had been made to the scandalous abuses which had taken place in some of the Unions, and no doubt that had been the case. Everybody knew something about the distribution of the seed rate, how the seed was given out and re-bought, and sold again to the people, and now the rates were positively swamped by the indiscriminate distribution. [Mr. M'Coan: Give some names.] Swinford was one, and he could name others. But what he desired to point out was that these abuses took place in Unions where the landlords' influence was exceedingly small, and where the Guardians were purely and simply elected on what had been called the popular vote. In saying these few words he had tried to use no invidious language. The measure was not altogether objectionable, and Clause 4 was the only part of it to which he was decidedly opposed. This clause would, as he had said, disfranchise men whose influence admittedly ought to be very considerable; and he, therefore, for this specific reason—and not because he disliked the protection of the ballot—moved that the Bill be read a second time that day three months. He trusted the House would be favoured with some remarks from the Government as to what they contemplated doing in this matter.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Colonel King-Harman.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. GRAY said, that after the speech of the hon. and gallant Member, there did not seem to be any necessity for discussing in detail the principles of the Bill, for it appeared to be conceded by the Representatives of the landlord class that some improvement ought to be effected in the election of members of Boards of Guardians in Ireland. The position, therefore, was narrowed down to the question as to whether the proxy vote should or should not be abolished, and he himself considered its abolition as most important. [Mr. Macartney: The plural vote.] No, that was not interfered with. Under the existing system in Ireland, a man might record 18 votes—six as a proprietor, six as a lessor, and six as an occupier—in each electoral district; and the Bill did not propose to deprive the representatives of wealth and position of that preponderance over the vote of the poor man. Those who were acquainted with the system, or who had read the evidence given before the Select Committee, had been of opinion that most scandalous abuses arose from the proxy vote. He knew a gentleman in Dublin County who used to hold upwards of 1,000 proxy votes in blank, the consequence of which was that he commanded the representation of one of the most important Unions in that county, and at last, by exercising that enormous power from year to year, he was appointed to a lucrative office under the Board, the representatives of which were to a large extent his own nominees. Such a system could not be justified by any person who was actuated by a spirit of fair play. The hon. and gallant Member for Dublin County thought it unfair that that power of proxy voting should be taken away; but the hon. and gallant Member should have gone a step further, and should have shown why Boards of Guardians should be elected on a different system from that adopted in the election to much more important offices. If the hon. and gallant Member had a Parliamentary vote both in Dublin and in Sligo Counties, he would have to elect in which constituency he would record his vote, unless he were like Sir Boyle Roche's bird, and could be in two places at one time. Why should it be different in the election of Boards of Guardians? [Colonel KING-HARMAN: I could record both votes.] Then the hon. and gallant Gentleman was like Sir Boyle Roche's bird. If we were able to travel by electricity, probably the hon. and gallant Member would be able to record a dozen votes; but he would have to do so in person, and that was all that was aimed at by the present Bill. He earnestly trusted that no hon. Gentleman would be misled into giving up the opposition to the proxy vote, because it really was one of the greatest abuses in the present system. It was notorious that the landlords handed over to their gutter agents numbers of proxies signed in blank for the different electoral districts, and never heard anything more about them, the agent manipulating the election to suit his own particular purposes. The hon. and gallant Member argued that the power which landlords now enjoyed ought not to be taken away from them. At the time the present system was adopted, it was thought desirable that landlords should have these extra powers; but circumstances had very much changed since then. Formerly a Poor Law Board had simply to administer the rates for relief of the destitute; but of late years other duties of a different character had been imposed upon it, and it was now made a distinct sanitary authority, and had power over the liberties of the entire community to compel persons to do a variety of things involving large expenditure. The right of election to a body such as that ought not to be given to men who had not sufficient interest in the matter to come and record their vote. Further, even without the proxy vote, the landlord in Ireland had more advantages than in England, although most persons imagined that the system in the two countries was the same. In England the *ex-officio* Guardians were only one-third, whereas in Ireland they were one-half of the entire Board, who, if they were not so lazy as not to attend except when an officer was to be appointed, would practically control the entire Poor Law administration. Without the elected Guardians, the landlords, as he said, would contribute half the entire Board, and they would be sure to have at least one or two of the elected Guardians who would vote with them, so that if they chose they could always override the other side.

MR. MACARTNEY denied that all *ex-officio* Guardians were landlords. The way in which a Board was constituted was that a certain number of Guardians were elected to represent the electoral division—some divisions by one and some by two—and then an equivalent number of magistrates was added. If there were more magistrates resident in the division than there were elected Guardians, only as many of that body would be taken as would equal the elected Guardians; while if the number of magistrates resident in the Union was not equal to that of the elected Guardians, then a list was taken of all the owners of property in the Union who were Justices of the Peace in other parts of the county, or of Ireland, and they took precedence according to the amount of property they held. If, after the making of the list, an additional magistrate was appointed in the district, one of the non-resident magistrates was struck off. He thought nothing could be fairer than that. According to the hon. Member for Carlow (Mr. Gray), the *ex-officio* members did not attend, except when there was a job; but if they only attended when there was a job—such as the election of an officer—they could not do much mischief. His experience was that a full attendance of elected Guardians always occurred when an officer was to be elected, particularly if there was a contract for milk, butter, eggs, or shoes, and then the elected Guardians came down in crowds, and voted for their friends. His experience was that Unions were protected against this species of jobbery by the *ex-officio* Guardians. Hon. Members below the Gangway were always talking about the enlargement of the franchise; but this was distinctly a disfranchising Bill. Every man with scattered property would be disfranchised. As it was, on one portion of his property 74 of his tenants were able to swamp his six votes. It would disfranchise every infirm man in a Union. It would also virtually disfranchise every woman in a Union, and every person engaged in labour or otherwise, who was disinclined to throw away a day in order to be able to record his vote in person. He thought that those who did not want to go to the balloting place and be hustled about and intimidated had a right to the protection of voting papers. It was alleged that the landlords exercised tyrannical power; he, however, was unacquainted with it, but he knew very well of the interference of the priests. On his own property and under his very nose those persons had never been elected whom he should have liked to see chosen for the office of Guardian; but neither he nor his agent interfered. The individual elected was generally a publican, in whose house the voters purchased whiskey and groceries. They owed money to him, and he said, "Elect me, and I will make the terms easier for you." Hon. Members below the Gangway did not like the present class of agents, because most of them were gentlemen; but to stigmatize such men as gutter agents, was a very improper use of language. He would suggest that non-resident electors should be allowed to vote by means of voting papers sent to them by post and witnessed by a magistrate.

Colonel NOLAN said, he heartily approved the Bill, which he believed would be extremely useful. The ballot, having been adopted at Parliamentary elections, ought also to be applied to elections of Poor Law Guardians. When the elected Guardians were left pretty much to themselves in the management of the Union they became conservative in the best sense of the word. They were anxious to keep down the rates; and he believed that they would look after economic interests very strictly indeed if they had more power. He did not think the Bill would greatly change the present constitution of the Boards; but it would do away with a good deal of bitterness and ill-feeling. A great deal had happened since 1878; and he thought proxy-voting, purely and simply, would be an extremely bad thing in Ireland at the present moment. What was wanted was the residence of landlords in Ireland; but the proxy vote was a contrivance which enabled a man living in London, Paris, or anywhere else to have a power of control to which, under the circumstances, he was not entitled. He thought it would be possible to introduce a clause which, while not providing for the proxy vote, would enable an owner who had voted personally in one Union to tender it in writing in other Unions. The real difficulty was in dealing with persons who lived out of Ireland and handed over their votes to proxies. The hon. Member for Tyrone (Mr. Macartney) made the extraordinary suggestion that there should be a voluntary ballot; but that would be of no use whatever, for the voter would be annoyed and subjected to odium because he said he would vote by ballot. Under a general ballot the voter would be master of the situation, but at present his vote belonged to everybody except himself. Speaking not only as a Member of Parliament, but as the Chairman of a very large Union, he believed that the Bill would be welcome; and he could not understand a Liberal Government not supporting such a moderate Bill.

Mr. O'SULLIVAN said, he also should support the Bill. The present system, after a trial of many years, had failed. One of its tendencies was to demoralize the ratepayers by causing them to make promises which they could not fulfil; and he had also known of cases of forged voting papers by people who in other relations of life were honest and trustworthy. The triennial system would be a decided improvement, while the ballot had been already tried and found successful in other elections, and would, no doubt, be as entirely successful in the election of Poor Law Guardians. The hon. Member for Tyrone complained because his vote was swamped by that of 74 of his tenants; but surely the House did not view as a hardship the fact that the vote of one person should be swamped by the votes of 74.

Mr. MACARTNEY asked leave to explain. He was then speaking in opposition to an argument of the hon. Gentleman the High Sheriff of Dublin, who stated that the landlords by their proxy votes swamped the tenants.

Mr. O'SULLIVAN said, the hon. Gentleman and his class had an equitable representation in the *ex-officio*

Guardians; but they wanted also to possess such a power of voting for candidates as would swamp the representation of the ratepayers. They did not want to disfranchise the landlord. He would still have his 18 votes; but he should go in person to record them, and if he did not reside in Ireland he had no right to vote. The measure was a fair and honest one, and would give each man what voting power he was entitled to. He hoped that the Bill would be passed by the unanimous vote of the House, and that the good sense of those who were opposing it would induce them to abstain from taking a division upon it.

MR. T. A. DICKSON said, that during the debate to-day several references had been made by hon. Members to "the Member for Tyrone," and he would wish to point out, having a political reputation to sustain in that county, that there were two Members for Tyrone, and it would be gratifying if Members would distinguish between them as the senior Member for Tyrone and the junior Member for Tyrone. He was astounded at the slur cast upon the elected Guardians of Tyrone by the Conservative Member (Mr. Macartney) of that county. He knew a great number of them personally, he knew them to be above suspicion, and men who would not be influenced by corrupt motives in the giving away of contracts. When his Colleague's humiliating description of the elected Guardians of Tyrone appeared in the Irish Press, he could only say those Guardians would be surprised at the description given of them by the Conservative Member for Tyrone. Vote by ballot would save the Local Government Board an immense amount of trouble, for each year they were at present obliged to send Inspectors to various Unions to inquire into the elections. He wished to point out that the House had spent this day discussing a measure which last year had passed its second reading by a majority of three to one, which was supported by the Government in the person of the Attorney General, the clauses were all discussed in Committee, and passed, and the measure only fell through in consequence of opposition on the Report stage; and how another day had been wasted discussing a Bill which almost passed last year. The attitude of its opponents was worthy of remark. Last year the hon. Member for Leitrim (Mr. Tottenham) opposed the Bill because it proposed vote by ballot. This year the hon. and gallant Conservative Member for Dublin County (Colonel King-Harman) approved heartily of the proposal, but objected to the measure because it proposed to abolish proxy voting. Last year, however, the House rejected by a large majority an Amendment in favour of proxy voting.

MR. RICHARD POWER said, they might congratulate themselves on the manner in which the debate had been conducted, and the wonderful unanimity which had existed in almost every part of the House. The history of the Bill was rather a sad one for Irish Members. Year after year, ever since 1875, they had brought it before the House of Commons, and upon three occasions they had carried it by very substantial majorities. Last year they even got as far in it as the third reading; but, owing to the obstructive tactics of the Members who sat on the Conservative Benches, the Bill was thrown out, and nothing more was heard about it. He supported the Bill because he believed it would place the voters in Ireland in a tolerably independent position. At present the voter was badgered almost out of existence. The landlord party came and told him he must vote one way, the tenant party came and told him he must vote another way, and then the clergyman came and told him he must vote a third way, so that really the poor tenant, in order to get out of the pit, very often stayed at home and did not vote at all. By giving him the right to vote by ballot, however, the House would place the tenant in a more independent position and would secure more honest and fair elections. A great advantage in the Bill was the provision that the elections should only take place once in three years, instead of once a-year as at present. Anybody who knew anything about elections for Poor Law Boards in Ireland would be very glad to see the trouble and turmoil which always attended them made to occur less frequently. All the arguments against the abolition of the proxy might also have been applied to Parliamentary elections. The hon. and gallant Member for Dublin County said if this Bill were passed, property would not be properly represented. He was not one of those who said that property ought not to be represented; on the contrary, the contention of his Party always had been that property should be fairly and honestly represented; and they had never said that those who had an interest and stake in the country should not have their voice and their fair share in the Local and Imperial Government. The suggestion made by the hon. and gallant Member for Galway (Colonel Nolan), that if a landlord were prevented by reason of his voting at the election in one Union from voting at another election which was held on the same day he could do so by proxy, was, he thought, a very fair concession. He had always held that a man who never came into a county, and who had no interest in it except to draw some money out of it, had no right to unusual consideration; but a man like the hon. and gallant Member for the County of Dublin, who lived and spent his money in his county, ought to have the power to vote by proxy when elections for different Unions in which he had a vote were proceeding on the same day. He hoped the Government would not only assent to the second reading of this Bill, but would spare no pains to insure its passage into law during the present Session.

Mr. TREVELYAN said, that, quite apart from any action which the Government might have taken on their pledge in the past, no one could have listened to this debate without being thoroughly aware what course any Government which endeavoured to represent the great body of opinion in the House would take on the present occasion. As far as this Bill applied the system of the ballot to Poor Law elections, the Government had already promised, if they could find time, to bring in a Bill on the question. The hon. Member for Wicklow (Mr. M'Coan), who introduced the Bill, said it had two objects—one, the introduction of the ballot, and the other, the substitution of triennial for annual elections. But incidentally he mentioned a third part of the Bill, which abolished voting by proxy. On the main question of the change in the mode of conducting Poor Law elections it was not necessary to say much. Anybody who had listened to the Questions which had been addressed to him in the course of the last six weeks would not have many doubts as to where influence was used on both sides, and used in a manner to provoke a great deal of criticism from the opposite party. One hon. Member (Mr. R. Power) gave the argument in a nutshell when he described the condition of the Irish rural voter who was placed between two or three contending influences, which were used with such pertinacity and intentness that he often ended by not voting at all. But he (Mr. Trevelyan) must say a few words, and a few very serious words, on the subject of proxies. On this question, it appeared to him that since last year the House had made a very considerable advance. It was true that the senior Member for Tyrone (Mr. Macartney) said he did not object to secret voting, provided that those who wished could vote by proxy; but the question of voluntary ballot had been argued at great length, and had been completely disposed of. The question was, whether or not this Bill should be made a disfranchising Bill to any extent, and from the very first moment he examined this subject with a serious intention of legislation he felt that it was here the great difficulty lay. A certain eminent and classical Irishman had been several times quoted that afternoon, and some of Sir Boyle Roche's most celebrated sayings had been frequently referred to. But of all those Irish sayings—Irish in every sense of the word some people would say—none appeared to him to be more thoroughly admirable than this, that "The best way to avoid a difficulty was to meet it full in the face." He was quite satisfied they would never settle this question until they boldly made up their minds as to what principle of Poor Law voting they would adopt. The hon. Member for Carlow (Mr. Gray), in his interesting speech, repeated some arguments against which he (Mr. Trevelyan) had protested last year, that all the objections which applied to voting by proxy for Members of Parliament applied to voting by proxy for Boards of Guardians. He could not for a moment agree to that proposition, and the hon. Member did not seem to quite realize the extent to which the proposition told against the theory of representation held by the Party to which he belonged. That theory was that every man had a right to vote who was independent and intelligent, and the rough test of those qualifications was that he should be a householder. The theory of the Liberal Party was that a rich man ought not to have more votes than a poor man, and that the franchise was not given to property as property, but simply as being a rough test that the holder of it was fit to have a vote. Personally, he had a very strong objection to the plural votes in elections of Members of Parliament, and he should be very glad to see that principle done away with. But the same principle did not hold good in this matter of Poor Law elections, for half the rate being paid by the landowner, it would be extremely unjust if practically the whole representation were handed over to the tenants.

Mr. SEXTON: What does the right hon. Gentleman mean by the plural vote at Parliamentary elections?

Mr. TREVELYAN: A man who has property in two or more constituencies.

Mr. SEXTON: But a man has only a single vote in each constituency.

Mr. TREVELYAN: Quite so. The hon. Member for Carlow was arguing against the system of proxies, which would enable a landlord to have six or eight or ten votes in different parts of the country, and to use them all. It should be remembered that the principal business of the Poor Law Guardian was to administer the rates, to which the landlord contributed a very large share. The hon. and gallant Member for the County of Dublin (Colonel King-Harman) expressed the manifest feeling of Parliament when he said that the landlord who paid half the rate deserved to have considerable influence. That influence had been given to the landlord in two methods, one indirectly by means of *ex-officio* Guardians, the other directly by means of votes, which, up to a certain number, represented the proportion of property which the voter held. It must be remembered that there was a certain danger in insisting too much upon a point in respect to *ex-officio* Guardians, because if they were to be only protectors of the landed interest upon the Board the Government would be justified in appointing none but landlords to those posts. In his opinion, therefore, the most legitimate method of equalizing the election of Guardians was that of giving votes, up to a certain extent, in proportion to the property; and to disfranchise any considerable number of persons who voted under such a system was, he thought, a principle which Parliament ought to be very slow to consent to. When, last year, the question of maintaining proxies was brought forward by an hon. Member who wished to maintain these proxies for occupiers, he could do nothing but give it his heartiest opposition. At one time it occurred to him that the difficulty of proxies might, in some degree, be got over in this way—that the Local Government Board should have the power of regulating and supervising the days on which the elections in the different divisions should be held. That a month before the election the returning authority should send a scheme of election to the Local Government Board, who should arrange that the elections should extend over five or six days—perhaps occurring in two or three districts in one day—so that the voters in the different divisions should all have a chance of coming to the poll. But there was this drawback, that it would be extremely cumbrous, would involve a good deal of correspondence, and would extend the interference of the Local Government Board with the Boards of Guardians—an interference which was often the subject of complaint in that House. There, therefore, only remained for consideration the proposal of the hon. Member opposite, which had been accepted with approval by the hon. and gallant Member for Galway. Hon. Members must bear in mind that the proportion of votes in the hands of owners was small as compared with that in the hands of occupiers. Even in very rich Unions in Ireland the proportion of votes in the hands of occupiers was seven or eight times that which was in the hands of owners, while in the poor districts the owner's proportion was almost infinitesimal. Therefore, in making an exception in the case of owners they would be making no very great inroad upon the principle of the ballot. The proposal of the hon. Member opposite was that the principle of secret voting should be applied absolutely in the case of occupiers, while the owner voting from a distance should be allowed to do so by voting paper. Proxies were a right they ought to possess; but the present system of voting by proxy appeared to him to be detestable. He would allow no man to hold a power from one election to another; but in regard to a particular election, if an owner who had an interest in a district was allowed to send a registered letter to the Returning Officer, that was a practical manner in which the justice of the case could be met. He knew there were Gentlemen whom nothing would induce to accept the principles of the Bill; but he appealed to them to remember the present state of Public Business, and the immense importance of having this Bill carried by something like general consent. Various circumstances had limited the time at their disposal this Session for the consideration of the Irish legislation. Here was a Bill upon which, with the one modification he had suggested, Irish opinion in the House was agreed. Let the Bill be passed, Irish Members having the credit of being the authors of it, and of passing it; and on the part of the Government he might say that while they would be much gratified to see that by a measure of their own they had removed the great evils which now existed in the election of Poor Law Guardians in Ireland, they would, at the same time, be none the less gratified because the Bill bore only the names of hon. Members who represented Irish constituencies.

Mr. J. LOWTHER said, he thought that the less frequently these elections were to be held the better it would be for the interests of the general community. In his opinion, the right hon. Gentleman opposite had jumped rather hastily to the conclusion that if the principle of the Ballot Act were adopted with regard to these elections, that of voting by proxy must fall. The right hon. Gentleman must have forgotten that when the Ballot Act was passing through that House, the then Member for Carlow (Mr. Bruen) had suggested a system under which voting at a distance might be combined with secret voting—namely, by the voter filling in his voting paper in the presence of a Justice of the Peace and forwarding it to the Returning Officer. With regard to the system of plural voting, he had understood the right hon. Gentleman to say that the votes were not given to property as such, and that the fact of a voter happening to be registered in respect of property was merely an arrangement for ascertaining the fact of his being a duly qualified voter, and was not an acknowledgment of the right claimed by him to exercise the Parliamentary franchise in respect of that property. The right hon. Gentleman further let drop some ominous hints as to his own opinions respecting an uniformity of Parliamentary franchise, involving the extinction of the 40*s.* freehold, the oldest Constitutional franchise in the Realm. The right hon. Gentleman not only described that as his own opinion, but also said that it was the creed of the Party to which he belonged. But he (Mr. J. Lowther) thought that the right hon. Gentleman was hardly justified in attributing that view to the Party which had initiated and acquiesced in measures of Parliamentary reform, in which the principle had been over and over again established that property, wherever situated, was entitled to representation in the House of Commons. Lord John Russell had suceeded in inducing the House of Commons to pass a Resolution directly and distinctly in opposition to what the right hon. Gentleman had announced as the fundamental doctrine of the Liberal Party. As to the proposal of the right hon. Gentleman to permit owners to vote by proxy, it appeared to him to hold out some prospect of a less unsatisfactory termination to the discussion than they might have anticipated; but he was sorry that the right hon. Gentleman did not see his way to extend it to all categories of voters, so that persons in advanced years or feeble health should not be compelled personally to attend the poll. He hoped that the right hon. Gentleman would see that the systems of voting by paper and by ballot were perfectly consistent with one another, and that there was no difficulty in introducing into the measure the modifications he desired.

Mr. SEXTON said, that the Government were bound to take the course of a general assent to the Bill by the previous pledges and action of their Party. The hon. and gallant Member for Dublin County (Colonel King-Harman) had practically given up the main part of the question, when he admitted that the poor man ought to have the protection of the ballot, and only claimed that elections should be conducted in a peaceful manner. He (Mr. Sexton) asked the House to remember how Parliamentary elections were conducted before the Ballot Act was enforced. If there had been any violence in connection with Poor Law elections, the course which had made Parliamentary elections calm and quiet would have the same effect in Poor Law elections. His Party had shown their good faith upon the present occasion; but the same good faith had not been shown by Gentlemen above the Gangway. Nothing could better illustrate the pass to which the opponents of the Bill had been driven than when they spoke of it as disfranchising timid and helpless women. Some women were timid and helpless, no doubt; but some, he was quite aware, were not, and it took very grave and serious inconvenience to keep women from any scene of public interest. But the interests of timid and helpless women lay on the side of this Bill, because land agents and their sub-agents had threatened poor widows with large families that if they voted for the candidate on the popular side, they and their children would be turned out before the year was at an end. He regretted extremely the action of the Chief Secretary in reference to Clause 4. It asked that every person giving a vote at the election should attend at the poll in the same manner as at Parliamentary elections; but the right hon. Gentleman replied that the interests of property must be protected, and the right hon. Gentleman held out a certain threat or warning that if the reform was carried out, the *ex-officio* Guardians might be altogether landlords. But, at present, were they not practically landlords? The system of Poor Law relief in Ireland was substantially a rural system, the magistrates were either landlords or land agents; and he defied any hon. Gentleman above the Gangway to take a nominal list of the magistrates and prove that 1 per cent, except in the boroughs and in Dublin, were anything else but landlords or persons depending upon them for existence. The landlords, at present, had a sufficient representation of property, and what more did they want? The Bill, in his opinion, did no go far enough. He thought the multiple vote ought to be abolished. Not content with what the landlords had already got, the right hon. Gentleman must also continue, to a modified extent, this system of proxies, which he had himself, in a phrase that deserved to be remembered, described as "detestable." Nothing could be worse than that electoral powers should be exercised by men who knew nothing whatever of Ireland except that they drew money from it. He presumed, after the statement of the right hon. Gentleman, that nothing now remained but to accept the Amendments that would be proposed in Committee. He trusted, however, that the Government would show that they would not allow tactics which had been pursued in previous years to prevent the passing of this Bill; and he would appeal to the right hon. Gentleman to co-operate cordially and sincerely with the Irish Members in preventing hon. Gentlemen above the Gangway from carrying out what they had in view by means of a future use of the Rules of the House.

MR. GIBSON said, he did not think it was correct to say the Bill in its present form had previously passed through the House in all its stages. As the landlords paid one-half the rates, it was not unreasonable that they should have a fair voice as to how those rates were spent. The Bill, as it stood, might lead to the practical disfranchisement of many ratepayers. He should resolutely oppose the Bill, if he thought that the 4th clause was to remain in anything like its present shape. He therefore asked for some definite assurance as to that clause. Would the Government undertake to amend the clause in such a way as to remove the injustice complained of by the hon. and gallant Gentleman the Member for the County of Dublin? He thought it was most desirable, before the House accepted the second reading of the Bill, that they should have an answer to that question, so that the House might know exactly what was the kind of measure which they were going to pass into law.

MR. MARUM said, that, while he was thankful to the Government for supporting the Bill, he was of opinion that it would not be a complete measure until the appointment of Magistrates and *ex-officio* Guardians was taken out of the hands of the Lord Lieutenants of Counties, who at present were able to give colour to Boards of Guardians.

MR. DAWSON observed, that the right hon. Gentleman hampered the Bill with the condition that non-resident magistrates might send the proxies by registered letter. He, for his part, thought that the suggestion of the hon. and gallant Member for Galway (Colonel Nolan) was extremely reasonable. It would entail consequences which would be exceedingly valuable in Ireland periodically, if they wished to preserve their rights. The present position of the Government was a retreat from the position which they took up last year, for the then Attorney General admitted that with these elections personal attendance for the purpose of voting would be no grievance. On the ground of consistency, he hoped the right hon. Gentleman would see his way to insist upon personal attendance.

Colonel KING-HARMAN said, that, after the statement of the Chief Secretary, and considering the important question which stood next on the Order Book, he did not wish to put the House to the trouble of a division. The course he should take would be to wait until he saw the Amendments the Chief Secretary would put on the Paper.

Mr. HIBBERT said, his right hon. Friend (Mr. Trevelyan) had asked him to state that he would place Amendments on the Paper to carry out the views he had expressed; and he desired to take this opportunity of saying for himself how pleased he was at the manner in which this Bill had been met on both sides of the House, as some years ago he moved for a Select Committee to inquire into the whole subject. At that Inquiry, the strongest reasons were given why some such proposal as was contained in this Bill should become law.

Mr. O'KELLY desired, before the question was withdrawn from the House, to say a few words. He did not know anybody in the House who had a better right to object to tenants having the protection of the Ballot Act in Poor Law elections than the hon. and gallant Gentleman the Conservative Member for the County of Dublin (Colonel King-Harman). He had in his hand a letter from one of the hon. Member's tenants, with reference to the last Poor Law election at Boyle. Mr. Mullaly, one of the Town Commissioners of Boyle, wrote—

> "Colonel King-Harman last month deprived me of a turf bank which has been held by my family and myself during the last 22 years, simply because I voted and said a good word for a popular Poor Law Guardian of Boyle Union, at the Poor Law elections last March. He also deprived the Poor Law Guardian whom I supported (Mr. Michael M'Crevy) of his turf bank because he defeated the Colonel's nominee."

These were the Gentlemen who came down to this House to object to tenants having protection of the ballot. With reference to the promise of the Government to continue proxy voting—for that was what the Chief Secretary's speech amounted to—to allow landlords who lived out of Ireland, and took no interest in it, to overbear local opinion throughout the country by their registered letters, that was a principle which could scarcely recommend itself to the Liberal Members of the House, if they had any belief in their professed principles. It was a proposal which would turn the Bill into a sham reform, and make it of little or no benefit to the people of Ireland.

Mr. M'COAN said, that, in view of the valuable concessions which the House had made in assenting to the main principles of the Bill, he would be prepared to support in Committee Amendments embodying the suggestions of the Chief Secretary.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

EMPLOYERS' LIABILITY ACT (1880) AMENDMENT BILL.—[Bill 33.]

(*Mr. Burt, Mr. Broadhurst, Mr. Dick Peddie, Mr. O'Connor Power, Mr. Passmore Edwards, Mr. Macliver.*)

SECOND READING.

Order for Second Reading read.

Mr. BURT, in moving that the Bill be now read a second time, said, he felt some regret that it should be found necessary to re-open this question, when such a short period had elapsed since it was dealt with by Parliament. This Bill was not brought forward on account of any special difficulty with respect to the working of the Act of 1880 in the counties of Northumberland and Durham. Indeed, if that Act had been accepted universally in the same spirit in which it was accepted in those counties, he should not have taken any part in attempting to deal again with the subject at this early stage. But, in certain parts of the country, no sooner was the Act passed than some employers and corporate bodies—especially some of the Railway Companies—put very extraordinary pressure on their workmen to compel them to contract out of its provisions. For instance, in Lancashire there was a long strike on the part of the miners, the chief difficulty in the case arising out of the demand of the employers that the men should contract themselves out of the Act. The National Miners' Union, recognizing the importance of the matter, sent a deputation to Lancashire to inquire into the causes of the strike, and they found that the most unfair pressure had been employed against the miners to compel them to accede to the demand of the employers that they should contract themselves out of the Act. The main object of this Bill was to prevent this, or to render illegal the method by which this was most usually done—namely, by requiring the payment of contributions to an accident fund as a condition of employment. There were, however, two Provisoes. One was, that the Bill should not have effect on contracts now in existence; and the other was, that if any employer contributed to a common fund, or paid anything in any way to a workman in connection with an accident that might occur, any such payment should be taken into consideration in making any award. If, however, it was the opinion of the House that they should not absolutely prohibit such agreements, he thought they should still have some provision, in order that arrangements of the kind might be come to in a formal and specific way, so that workmen might know exactly under what conditions they were contracting out of an Act of Parliament passed for their advantage. There were several subordinate provisions, one being to prevent appeals, except by consent, in cases under £100. Another proposed modification of the present Act he desired to call attention to. Sometimes it happened, after a workman had received an injury, that his master continued to pay his wages, thereby admitting that he was in fault, and, after paying them for some weeks, discontinued, and thus the workman, who had not given notice of his claim, was precluded from recovering anything further from his master. Of course, there was opposition to the Bill. Like many other promoters of Bills, he had incurred the displeasure of the Liberty and Property Defence League. That League, in the Annual Report just issued, stated that the miners themselves, even those among his own constituents, were opposed to any change in the law; but that was not so. It was true that at two meetings held at collieries in the North a majority of those present voted for the views of the League; but at one of them there were only 38 votes given, of which 23 supported and 15 voted against the League; while at several other meetings of the same character the League was outvoted by overwhelming majorities. At a delegate meeting of the Northumberland miners, which he attended, an unanimous vote was passed in favour of his Bill. It had been said that the delegates did not represent the miners. That was not the case. They were miners themselves, and represented the views of the miners much more faithfully than Members of the House did the views of their constituents. He understood that the opposition to this Bill by the hon. Baronet (Sir Joseph Pease) was based on a fear lest the Miners' Permanent Relief Fund should suffer by the passing of this Bill. A similar fear was expressed when the Employers' Liability Act was under discussion; but the fact was that these funds were never stronger than at the present time. The Trades' Union Congress had unanimously passed a resolution in favour of the Bill. Miners' Associations had petitioned in its favour, and there had not been a single Petition from an organized body of workmen against it. He begged to move the second reading of the Bill.

Mr. BROADHURST rose to second the Motion, and expressed his wish that he could have reserved his remarks for a later stage of the debate.

Mr. SPEAKER informed the hon. Member that an Order of the Day did not require a Seconder.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Burt.*)

Sir JOSEPH PEASE, in rising to move—

> "That it is inexpedient to interfere with that freedom of contract between Employers and Employed which enables them to contract themselves out of the Act of 1880, and by mutual arrangement and mutual payment to make provision for every workman who may be injured and the family of every workman who may be killed; whether the accident is one coming under the provisions of the Act of 1880, or is one not so provided for,"

said, it was with regret that he felt himself compelled to act in opposition to his hon. Friend the Member for Morpeth (Mr. Burt), whose life-long devotion to the interests and welfare of the class which he represented he highly appreciated. The Employers' Liability Act was to be in force for only seven years, of which only two had elapsed—a period obviously insufficient to enable a sound judgment of its effects to be formed. At present, workmen had the choice of remaining under the Act, with all the advantages it conferred, or the choice of contracting out of it with often still greater advantages. But the question broadly put before the House was, whether or not the working classes of this country were able to take care of themselves? Were the employed too prejudiced, or too ignorant, or too foolish to make their own contracts with their employers? He did not take that view of the working classes of this country. Was the House of Commons to say to them—"You shall be tied down to the four corners of this Bill, even though your employers offer you much more liberal terms than you would obtain under the Bill." There could only be two reasons for this Bill. One was, that the men were subject to undue pressure from their employers—were, in fact, slaves to their masters; and the other was, that they were so unwise and so imprudent that they contracted themselves out of the Act without receiving any equivalent. No such case had been or could be made out. He maintained that employers had endeavoured to work the Liability Act loyally and well, and their voluntary efforts were equally commendable. He could not find that a single meeting had been held on the subject of the present Bill; but he knew that from the borough of Morpeth, 1,219 persons from among the constituents of the hon. Member in charge of the measure had petitioned against it. A mere reference to the voluntary efforts among the coal miners and iron miners in the North, the subscriptions from whom last year amounted to £46,144, would show that these were not the men to be treated as children. Some trades—for instance, the building trade and the mechanical engineers—had by a system of mutual assurance made provision for all cases of accident. As to the generality of contracts between employers and employed, he believed that, so far from there being improvident contracts on the part of the men, they were much more beneficial to the men than the Act itself would have been. The North-Western Railway, for example, which employed upwards of 50,000 men, had given their men terms, which, he had no hesitation in saying, were five—or even ten—times as good as the original Act, or the Bill of his hon. Friend would give them. With regard to the Petitions that had been presented in favour of this Bill, he confessed that he never saw more unsatisfactory documents of the kind. He had presented many of them himself, and in every case they were signed by one person only—in a representative capacity. They were signed by Chairmen; but the Petitions did not say of what Bodies the gentlemen who signed were Chairmen, nor could he find in the local papers accounts of any meetings. They were certainly not indicative of large support by the working classes; and even from the borough of the hon. Member himself, no less than eight or nine Petitions had been presented to the House against the passing of the Bill. At any rate, there was great divergence of opinion with reference to it. The hon. Member had said that a great cry was raised that the provident societies of the working men had been placed in danger by the Employers' Act. That was quite true, and the figures showed a steady falling off in the subscriptions by the employers; but they would be placed in very much more danger and be much more damaged if the Bill now proposed was carried into law. He contended that the employers of England had acted most loyally by their workmen under the existing Act. With regard to the statement that the masters had been able to extort from the men the advantages of the Act, the hon. Member for Morpeth had only mentioned one case, and that was the case of 27,000 miners in Lancashire. The fact was, however, that they had a strike, and all, he believed, went to work again after having extracted some terms from the masters which enabled them to contract themselves out of the Act with advantage to themselves. He had never yet heard exactly the terms upon which these Lancashire miners contracted themselves out of the Act; but he perceived from a speech that was made by Mr. Bryson, a Northumberland miner, on this very question, that he said the miners of

Lancashire were improvident, and had made no provision against an evil day. Further, Mr. Bryson said the idea of 27,000 men being forced into a disadvantageous agreement was ridiculous, and ought never to have been brought forward, for they entered into the arrangement that was made well knowing what they were doing. That was the language of Mr. Bryson at a meeting held only the other day; and when these men actually got 20 per cent for their provident fund from their employers, it could not well be said that it was a case where they got nothing. But if this proposal was adopted, it would deprive working men of great advantages they now enjoyed, and place them in a much less independent and favourable position. He took a very different view of the requirements of the working classes of this country to that of the hon. Member for Morpeth. He did not think they would have to legislate for the working classes very much longer in this style. If they were once in leading-strings, they were well out of them now, and were perfectly well able to run alone and to take care of themselves. He spoke on this matter with some right, for he had been among the working classes all his life, and it was only within the last few months that he had been twice elected by a large body of them to be sole arbiter in an important dispute between them and their employers. He had no hesitation in saying that on those occasions the working men placed their case before him more clearly, logically, and more true to principle than the employers did theirs; and such facts as those and others went to prove that what Parliament had done for the working classes was very little compared to what they had done in recent years for themselves. The statement of the hon. Member that the working men required to be taken care of, and to be protected from their employers, was, therefore, one which he thought the House would hardly be prepared to endorse. As he had said, the working men of the country were able to take care of themselves, and did not need or ask for this protection. Therefore, he moved the Amendment he had read to the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to interfere with that freedom of contract between Employers and Employed which enables them to contract themselves out of the Act of 1880, and by mutual arrangement and mutual payment to make provision for every workman who may be injured and the family of every workman who may be killed; whether the accident is one coming under the provisions of the Act of 1880, or is one not so provided for,"—(*Sir Joseph Pease,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BROADHURST said, he thought the speech of the hon. Baronet the Member for Durham (Sir Joseph Pease) had in no way dealt damagingly with the Bill of his hon. Friend the Member for Morpeth. He (Mr. Broadhurst) was fully aware of the importance of the coal and iron trades of the North; but he wanted the hon. Baronet to remember that there were in Great Britain a few other industries besides those he had mentioned. It was the fact that soon after the Employers' Liability Act, 1880, was passed, a placard was posted up at one of the large building firms in the Metropolis, informing the men that they must consider themselves in the same position as if they had signed an express agreement contracting with their employers that the latter should incur no responsibility under the Act, otherwise the men must leave the works forthwith. That document was, he believed, merely a copy of what was posted by other firms, not only in London, but all over the country, which seemed to indicate concentrated action on the part of the employers. It was all very well to say that the men were capable of taking care of themselves. They, no doubt, were in many instances; but it must be remembered that when the Act came into force there was a great lack of employment in many industries, and the employers of labour swooped down like vultures and engaged men who, from their sheer necessity of providing themselves and their families with bread, were only too ready to accept work on any terms imposed by the employers. Moreover, there were a large number of men in the service of the Railway Companies who were not in permanent employment, but who were, nevertheless, compelled to work under the same conditions, so far as contracting themselves out of the Act was concerned, as the men who were in the permanent employment of the Companies. He did not think the hon. Baronet could have been aware of the course taken by the general trades of the country with regard to the Act. Then insurance companies had been called into existence under the Act in the interests of the employers, to indemnify them against all liability under it; and these companies, in many instances, worked great hardship by resisting the just claims of the widow and children of some poor workman who had lost his life in the service of his employer. Such a state of things was a disgrace to the country. The hon. Baronet had stated that the existing law had already done some damage to the provident associations by lessening the contributions of the employers to those associations; but he was informed by his hon. Friend the Member for Morpeth, that the contributions of the employers last year amounted to a larger sum than they had ever amounted to before. With regard to the Petition to which reference had been made, 1,200 or 1,300 men and boys out of a large colliery district was not a great number of signatures to have been obtained, especially when they were aware of the wonderful power which had been brought to bear in obtaining these signatures. His marvel was that the signatures of everybody in the district had not been obtained. The Liberty and Property Defence Association, which had used its influence in promoting the Petition, was generally known as the Association of the "three P.'s"—peers, pawnbrokers, and publicans. When they had an Association of that description, with agents scattered all over the country, and without stint of money, was it not surprising that with all their mighty efforts they had only produced 1,200 signatures ofmen and children to a Petition against the Bill of his hon. Friend? He said that the Petition, and the Association which promoted it, were wholly unworthy of the confidence of the workmen, and had never had their confidence. He asked the House to take the assurance of his hon. Friend that the Bill was absolutely necessary for the protection of the workmen, and that there was a widespread desire on their part that this Bill should be passed. If the question of Petitions were to be introduced, and the Bill were to go over until another Session, he believed that the House would be flooded with Petitions in its favour. Reference had been made to Mr. Bryson, a working miner, who addressed a meeting in London, a few days ago, against this Bill; but Mr. Bryson had no authority to speak for the miners of Northumberland, and his appearance in London could only be described as a huge hoax. In conclusion, he begged to thank the House for the patience with which it had listened to him, and expressed the hope that the House would assent to the second reading of the Bill.

Mr. WARTON said, he thought the speech of the hon. Baronet the Member for South Durham (Sir Joseph Pease) was perfectly convincing, the hon. Baronet being well qualified to speak with authority on the question. The existing law had, so far as he was able to judge, though he was not himself an employer of labour, worked well. The whole question was fully considered by Parliament at the time the Act of 1880 was passed, and he protested against its being now re-opened. In this Bill there was a provision that an action might be brought without any claim having been sent in at all. Now, was that fair to the employer? The one great question really was that they ought to set their faces against the idea that the working man might not contract himself out of the Act. Believing, as he did, that it was for the interests of all classes, masters and servants alike, he certainly did hope that the House would not for a moment entertain the crude crotchet of the hon. Member for Morpeth (Mr. Burt). And, before he sat down, he would recommend the hon. Gentleman in future to conduct his own case himself, and not to filter it through the mouth of the hon. Member for Stoke (Mr. Broadhurst).

Sir R. ASSHETON CROSS said, he thought that before the hour at which, according to the Standing Orders of the House, the debate would be adjourned, they ought to have some expression of the opinion of the Government on this question. They had all looked to the Bill of 1880 as a settlement of the question; and they wished to know whether or not the Government were satisfied with that Bill, and whether they meant to maintain it or not? If there was one thing more important than another, it was that legislation should be allowed to rest. He should not detain the House, because they wished to hear, not what he, but what the Government had to say.

MR. DODSON said, that what he had to say on behalf of the Government could be said without hesitation, and in almost as few words as those employed by the right hon. Gentleman who had just sat down. This Act was introduced and passed by the Government a little over two years ago, and came into operation on the 1st of January, 1881. It had, therefore, been in operation a very little over two years. Under those circumstances, the Government were certainly not prepared, at the present time, to accede to any proposition for altering it in the manner proposed by this Bill. He would go further, and say he had taken very great interest in the working of this measure, and had reason to be satisfied with the results it had produced. He believed it had worked, on the whole, beneficially to the working classes, and that it had not worked injuriously or unjustly to the employers of labour. The right hon. Gentleman who had just sat down said it was very important that legislation of this kind should not be too frequently altered, so that employers and employed should know and understand their position respectively to each other. He did not wish to enter into controversial matter; but he must remind the right hon. Gentleman that the Government had introduced and passed this Bill with the intention that it should be, so far as such measures were, a lasting measure; but, on the Motion of a noble Lord, then the Leader of the Party to which the right hon. Gentleman belonged, a clause was inserted in the other House limiting the operation of the Bill to two years. By a subsequent compromise, when the Bill came back to the House of Commons, the operation of the Bill was limited to seven years instead of two. He would call the attention of the House to the fact that the Act was, therefore, in the nature of an experimental Act, and would necessarily come under the review of the House before many years. For the present, the Government were satisfied with observing the working of the Act, and could not support the Bill now before the House.

Question put.

The House *divided*:—Ayes 38; Noes 149: Majority 111.—(Div. List, No. 134.)

Words *added.*

Main Question, as amended, put.

Resolved, That it is inexpedient to interfere with that freedom of contract between Employers and Employed which enables them to contract themselves out of the Act of 1880, and by mutual arrangement and mutual payment to make provision for every workman who may be injured and the family of every workman who may be killed; whether the accident is one coming under the provisions of the Act of 1880, or is one not so provided for.

SURREY (TRIAL OF CAUSES) BILL.

(*Mr. Warton, Captain Aylmer.*)

[BILL 65.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading be deferred till Wednesday 4th July."—(*Mr. Warton.*)

MR. MONK said, the Bill was introduced on the 16th of February; but it had never yet been printed. The hon. and learned Gentleman who had charge of the Bill had been guilty of most extraordinary conduct. He obtained leave to bring in the Bill last year, and actually induced the House to give it a second reading, although it was not printed, but existed only in the brain of the hon. and learned Member. A few weeks ago he actually blocked his own Bill; and, under those circumstances, it must be evident that the hon. and learned Gentleman was simply trifling with the House, and seeing how far he could try its patience.

Amendment proposed, to leave out all the words after the words "That the" to the end of the Question, in order to add the words "Order for Second Reading be discharged,"—(*Mr. Monk,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. WARTON said, he had no wish to try the patience of the House. The Bill was introduced to remedy a long-standing grievance of suitors in respect to the delay which occurred in the trial of their causes in Surrey.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

MOTION.

EDUCATION (SCOTLAND) BILL.

On Motion of Mr. MUNDELLA, Bill to amend the Laws relating to Education in Scotland, and for other purposes connected therewith, *ordered* to be brought in by Mr. MUNDELLA, The LORD ADVOCATE, and Mr. SOLICITOR GENERAL for SCOTLAND.

Bill *presented*, and read the first time. [Bill 226.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 14*th June*, 1883.

MINUTES.]—SELECT COMMITTEE — *First Report*—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod. (No. 93.)

PUBLIC BILLS—*First Reading*—Local Government Provisional Orders (Poor Law) (No. 2) * (89); Public Health (Dairies, &c.) (92).

Second Reading—Committee negatived—Consolidated Fund (No. 3) *.

Report—Municipal Corporations (Unreformed) * (59-94).

Third Reading—Naval Discipline and Enlistment Acts Amendment (70); Cathedral Statutes (58); Lands Clauses (Umpire) * (71), and *passed*.

EGYPT (MILITARY EXPEDITION)—THE MANCHESTER REGIMENT AND THE SEAFORTH HIGHLANDERS—FIELD ALLOWANCE.—QUESTION.

VISCOUNT ENFIELD asked the Secretary of State for India, Whether any decision has been arrived at with regard to granting "Field Allowance" in the recent Egyptian campaign to the 1st Battalion of the Manchester Regiment and the 1st Battalion of the Seaforth Highlanders? The subject had been alluded to some weeks ago in Parliament, and the noble Earl had promised to give it consideration.

THE EARL OF KIMBERLEY: I am happy to be able to inform my noble Friend that I have approved of the grant to both the battalions in question of the full six months' field allowance. The War Office has been duly informed of this decision.

NAVAL DISCIPLINE AND ENLISTMENT ACTS AMENDMENT BILL.—(No. 70.)

(*The Earl of Northbrook.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Northbrook.*)

VISCOUNT SIDMOUTH said, that if he had thought there was any chance of success, he would have moved the rejection of the Bill even at this stage; but he should have to content himself with a simple protest against it. He wished to take this opportunity of explaining that on the second reading of the Bill he had advocated the retention of corporal punishment only for the very gravest offences. The cases of corporal punishment which the Leader of the House had cited in the debate on the second reading were instances which had been held up to universal abhorrence by the whole Navy. He believed that they occurred some 60 or 70 years ago. The noble Earl might as well have referred to the Bloody Assize, and endeavoured to induce the public to believe that the judicial descendants of Lord Jeffreys, the Lord Chancellor and the Lord Chief Justice, would crop the ears of any recreant Tory who might be guilty of "veiled Obstruction" or any similar offence. It was a most painful thing to propose that the power of inflicting corporal punishment in the Navy should be, in the face of public opinion, retained; but he contended that public opinion had not been expressed against the retention. The noble Earl had referred to the House of Commons; but there had been no expression of opinion there against this punishment in the Navy. No single instance had been given in which a man had been deterred from entering the Navy by the prospect of corporal punishment. It was certain that all professional opinion was in favour of the old system, which had always been regarded as essential to the discipline of the Service. Much as he detested corporal punishment, his opinion of its necessity corresponded with that of the Profession at large; and he submitted that it should be retained, in order that the committal of crimes of a disgraceful character should be deterred. For his own part, he wholly failed to see how the substitutes proposed could be either effectual or convenient. Nothing could be less satisfactory than that a man should be court-martialed, and sentenced to imprisonment while his ship was engaged in a blockade, or was kept at sea for any length of time for any other reason. It seemed to him, too, that imprisonment was much more likely to injure a sailor's *morale* than corporal punishment. He supposed it was useless now to oppose the Bill; but he protested against it, and believed that in time of war it would be impossible to maintain discipline without the old punishment. Unless it was resorted to in such a crisis, the British Navy would fall into a disgraceful state.

LORD STANLEY OF ALDERLEY said, he wished to bring before their Lordships the hard case of a man who had not been flogged. He was a very young sailor, and had struck a petty officer, and had got five years' penal servitude for this. The Admiralty had reduced this to three years; but that amount of penal servitude was too much, and would ruin him for life. This happened in the Pacific Ocean, and the man had already been in prison for a long time on board ship. He was sure this man would much rather have had a flogging and have done with it.

THE EARL OF NORTHBROOK said, he could not agree with his noble Friend (Lord Stanley of Alderley) that this punishment was by any means disproportionate to the offence. The noble Viscount (Viscount Sidmouth) had not touched the contention of his noble Friend in the speech to which reference had been made. His noble Friend (Earl Granville) asked in the speech whether it was likely that our officers were not as able to maintain discipline without flogging as the officers of Foreign Navies were? The Bill, as a whole, had been carefully considered by, and had met with the unanimous approval of, the Naval Members of the Board of Admiralty, on whom it was his duty to rely.

THE MARQUESS OF SALISBURY said, that the observations of the noble Earl differed very much from the view of the case which he presented when the Bill was last before the House. He then represented the matter as a political one, and said that, as practical men, we could not keep up a punishment that public opinion had condemned. He did not tell the House that the Naval Members of the Board of Admiralty had arrived at the conclusion embodied in the Bill.

THE EARL OF NORTHBROOK said, what he represented was, that the position the Government took up was that flogging could not be maintained in the Navy, and that this position, and the provisions of the Bill for altering the law, were entirely and unanimously accepted by the Naval Members of the Board of Admiralty.

THE MARQUESS OF SALISBURY said, the first was a political question, as to which the authority of the Naval Members of the Board of Admiralty was worth less than that of the Members of the House. Whether the particular punishments to be substituted were practicable might be more an opinion for the Naval Lords. As far as he heard Naval opinion, apart altogether from the political question, it was that considerable injury would be done to the Navy by the abolition of this punishment. He did not think the matter was one on which it was desirable their Lordships should interfere, for this reason—that, to a certain extent, the Executive Government had power to disregard any opinion their Lordships' might give. They had already forbidden the practical application of the punishment; and, so long as the present Government was in Office, the punishment of flogging would not be inflicted. He did not think, therefore, there would be any advantage in going through the form of refusing to pass the clauses, seeing that the Government had the power to disregard the opinion to which they might come. Corporal punishment might be required in time of war, and it was possible it might be restored. When the noble Earl spoke of the experience of the other Navies of the world, he ought to remember what he had apparently forgotten, that they resorted to a much more free application of capital punishment than we did. Practically, that was the issue; in times of crisis, if we did not allow of the application of the milder punishment, there was no doubt that the death penalty to offenders on board ship would be necessary to save the lives of others.

VISCOUNT SIDMOUTH said, that, in conversation with Germans, he had been told that the disgraceful punishments that were inflicted in the Army prompted Germans to maim themselves in order to avoid the Service.

Motion *agreed to*; Bill read 3ª accordingly; Amendments made; Bill *passed*, and sent to the Commons.

CATHEDRAL STATUTES BILL.—(No. 58.)

(*The Lord Bishop of Carlisle.*)

THIRD READING.

Order of the Day for the Third Reading read.

THE BISHOP OF CARLISLE, in moving that the Bill be now read the third time, said, he hoped the Bill might be sent down to the other House with such momentum as to give it some chance of passing. The speech made upon the second reading by the right rev. Prelate (the Bishop of Peterborough) had been much considered, and had had a great effect in the country; but he (the Bishop of Carlisle) was disposed to hope that, notwithstanding that speech, the Bill would have a better chance of being passed than the right rev. Prelate had prophesied. The right rev. Prelate said that he (the Bishop of Carlisle) might just as well read the Bill a second time in his own study as in that House; and he pointed out that the Government would not pass a Bill of this sort through the other House. The right rev. Prelate referred to the position of Parties, and said that the passing of any ecclesiastical legislation would be impossible, and that the Bill would never get beyond that House; but he (the Bishop of Carlisle) wished to point out that this was not a Private Bill, but that it had been prepared, after mature consideration, by a representative body of noblemen and gentlemen, who were appointed by the Government to deal with the questions referred to them, and this Bill was the result of their consideration. It was absolutely necessary to prevent the labours of the Commissioners from being altogether futile; and, therefore, it ought not to be on the footing of a Private Bill, which had to knock its way through the House of Commons in the best way it could by its own unaided efforts. He thought he had a right to appeal to Her Majesty's Government to give a Bill of this kind something in the nature of sympathy and support. He did not ask them to adopt the Bill as their own, but only to give to it such an amount of sympathy as would secure for it a reasonable consideration in the other House, and so do that which would be very much to their own credit—namely, utterly refute the description and prophecy made by the right rev. Prelate (the Bishop of Peterborough). The Bill in itself was so simple, so reasonable, and so necessary, that if it were only brought before the House of Commons he had not the slightest doubt that the justice of that House would pass it. In conclusion, the right rev. Prelate moved the third reading of the Bill.

Moved, "That the Bill be now read 3ª."—(*The Lord Bishop of Carlisle.*)

THE EARL OF KIMBERLEY remarked, that, as regarded the intention of the Bill, he need hardly assure the right rev. Prelate that the Bill received the general approval of the Government; but he was unable to promise that facilities would be given by the Government for passing it through the other House, because any such facilities must depend upon the state of Public Business there. Considering the uncertainty of doing Business in the House of Commons, the right rev. Prelate could hardly expect him to give an assurance that the Bill would be taken up by the Government.

Motion *agreed to*; Bill read 3ª according; an Amendment made; Bill *passed*, and sent to the Commons.

SOUTH AFRICA—BASUTOLAND.

QUESTION. OBSERVATIONS.

LORD EMLY in rising to ask the Secretary of State for the Colonies to inform the House what are the proposals he has made to the Cape Colony for the settlement of the Basuto question; and whether he intends that the carrying out of these proposals should be contingent in any way on the action of the Orange Free State? said, if the news published that morning of the annexation by the Cape Colony of a part of Bechuanaland were true, this was an auspicious day to bring forward any question with regard to South Africa; for it showed there was a desire on the part of the Prime Minister of the Cape Colony and his Colleague—Mr. Merriman—to settle in a fair way the questions which affected the Native races there. After briefly sketching the history of Basutoland since the year 1869, he urged the desirability of reverting to the state of things which at one time prevailed, under which the Basutos were united with this country. We had a clear duty to perform towards the Basutos; and he did not see why the performance of that duty should be made contingent on the action of the Orange Free State. The question for the Basutos lay between annexation by us and utter extinction. Unless they were supported by us they would be forced to emigrate or starve. A French missionary, M. Cassilis, had given an interesting account of Basutoland, where he had laboured for 40 years, and had done more than any other man to bring the Native Tribes into their present civilized condition. They were subjects of the Queen, and the great majority of them would desire to return to the state of things which existed in 1869. Basutoland was the Switzerland of South Africa, commanding Natal, Griqualand, and the Orange Free State; and if we desired to stay in South Africa it would be little short of madness to abandon Basutoland. He believed his noble and gallant Friend (Lord Wolseley) would bear him out in saying that whoever held Basutoland held the key of South Africa. Unless we took measures to protect that country it would be occupied by people whom we should little desire to see there. He earnestly hoped the Government would take this opportunity of settling the last difficult question with which we had to deal in South Africa.

THE EARL OF DERBY: My Lords, I am glad to hear from my noble Friend that he considers that I have taken the direction of South African affairs at a peculiarly opportune moment. I was not aware of it myself, so far as the general condition of things in South Africa is concerned, for, however hopeful one may be as to the ultimate result, it is impossible to say that they are in an altogether satisfactory condition at the present time. But, my Lords, to return to the immediate subject before us, I think I shall probably be able to give a more satisfactory answer than I could otherwise give, if I say a few words of explanation as to the antecedents of the Basuto territory, and as to the circumstances which have led to the present complications. My noble Friend described the geographical position of the Basuto country. He laid more stress than I should be inclined to do upon its military importance. But there is no doubt that it holds a central position as regards the British Possessions in South Africa, having the Cape Colony on the West, the Orange Free State on the North, Natal on the East, and a large number of protected or semi-independent Native Chiefs on the South. In that position it is clear that any disorder or disturbance there is calculated to create considerable trouble and uneasiness in other parts of South Africa. The Basuto Tribe were free and independent up to the year 1868 or 1869. Like most other African Tribes in that condition, they had been frequently involved in quarrels among themselves and disturbances with their neighbours on the Borders, which finally resulted in a war with the Orange Free State. That war, after various vicissitudes, ended in a complete defeat of the Natives, and the almost entire conquest of the territories by the people of the Free State. Great alarm was caused by that state of things in the Cape Colony and South Africa generally, not arising entirely out of sympathy with the Basuto Tribes, but from a very natural and reasonable calculation that if a considerable number of warlike Natives were to be driven out of their homes and thrown loose upon the world, that would be a source of disorder and confusion in all the surrounding districts. Pressure was, in consequence, put by the Colonial authorities upon the Government at home. The Colonial Office yielded to that pressure; they intervened, and saved the Basutos from the destruction which was impending over them. They settled terms of peace, and then annexed the Basuto territory with the consent of the inhabitants; all went well for some time; but in two or three years it was found desirable to transfer the management of the Basuto country from the Imperial Government to the Government of the Cape Colony. Shortly after that a responsible Government was given to the Cape, and so the management of Basuto affairs passed out of the hands of the Colonial Office into the hands of the Ministers of the Cape Colony. I do not attempt to enter into the details of the transactions of that time. They are not material now. I have not studied the questions of that day with sufficient care to pronounce judgment upon them; but whatever may be the cause, or whoever was in fault, it is quite certain that the Basutos, who, at the time of coming under the Imperial Government, were entirely favourable to us, became alienated from the Colonial authorities, and the attempt—undoubtedly, in the circumstances, an unwise and injudicious attempt — to enforce a general disarmament produced the war which has continued through several years, which has been carried on unsuccessfully on the side of the Colonists, and has cost the Colony more than £3,000,000, and has ended in the Basutos remaining unsubdued. The authorities of the Cape are naturally tired of that state of things, and are anxious to put an end to it. They want to get rid of this dependency which has cost them so much without bringing any compensating advantage; and, although the Bill for that purpose now before the Cape Parliament has not actually passed, it is well understood that it will pass within the course of the next few weeks. The question is, what, in these circumstances, are we to do? There are the usual three courses open to us; but only one of them is really possible. It is, of course, theoretically possible to disallow the Bill when it is sent home for approval. But that would be a very high-handed proceeding — and a very unusual proceeding in the case of a Colony having responsible government. Moreover, it would be one entirely useless for all practical purposes. We can prevent the authorities of the Cape from effecting the separation of Basutoland in a formal and legal manner; but we cannot prevent them withdrawing from the territory, and leaving it in a condition of practical independence. Therefore, that alternative must be set aside as outside the region of practical politics. It comes to this, then—that either we must let the Basutos go under their former conditions of independence, or else we must renew the Protectorate under the Imperial Government. With regard to the proposal for letting them go, it is not very easy to justify turning out of the Empire men who are willing to remain in it, merely on the ground that they are likely to be inconvenient subjects. If they were to be so turned out, and if they were to be left to themselves, they would relapse into a condition, probably, of partial or total anarchy; and we should have exactly the same state of things reproduced which we thought it our duty to put an end to many years ago. We have, therefore, been compelled to adopt the third proposal, under certain conditions and restrictions which I will state to your Lordships. In the first place, we have required a satisfactory assurance that the Basutos themselves really desire to return to their former political connection with us. No doubt, a considerable number of the Basutos are anxious to return to that connection; but what we have a right to require is that there should be practical unanimity of opinion on their part that that connection should be restored—such unanimity as may save us from the necessity of employing coercive measures. The second condition is this —we think it not unreasonable that the Cape Colony and the Basutos, between them, should make themselves responsible for, at any rate, the greater part—I do not say the whole—of the expenses attending this change. It is reasonable that the Cape Colony should pay towards the expense of maintaining order in Basutoland, at least, the equivalent of that part of their Customs' duties derived from the imports passing into Basutoland; and this we believe will be sufficient. The Basutos are, for Natives, well off, and are able and willing to pay a moderate hut tax, and any other tax which may be necessary to meet the expenditure. We do not propose to make Basutoland a Crown Colony, or to introduce the costly machinery of European officers. We wish the Basutos to enjoy Home Rule in the strictest sense of the word. We wish them to employ their own machinery of government, and that they should be governed, as far as may be, according to their own customs. I do not anticipate that in such circumstances as these the cost of their government will be very heavy. We also think that the Orange Free State should be required to do their fair share in the matter of keeping order within their own boundaries. If these conditions are complied with, we are ready to resume control over the Basutos. We shall be ready to lay upon the Table of the House the Papers embodying our proposals as soon as those proposals are in the hands of the Cape Colony authorities. We cannot lay them upon the Table earlier, because, if an imperfect telegraphic summary of them were sent out, it might lead to a mistaken impression as to our intentions on this subject, and prejudice the case before those concerned had time to consider it.

THE EARL OF CARNARVON said, he congratulated his noble Friend (the Earl of Derby) upon this change of policy on the part of Her Majesty's Government, though he must remind their Lordships of the despatch written only a short time since by the noble Earl opposite (the Earl of Kimberley), to the effect that Her Majesty's Government could not hold out any expectation that steps would be taken to relieve the Cape Colony from their connection with Basutoland. So strongly was that fact impressed on the mind of the Colonial Government that the Colonial Prime Minister commented upon it in terms of no little regret. He did not, however, now blame Her Majesty's Government for this change of policy; and he thought the noble Earl (the Earl of Derby) had décided right. Both the noble Earl and the noble Lord who had introduced this question had given certain reasons in favour of this change, which he thought were sound, for the re-admission of the Basutos within the British Empire, and he would add one or two more. In the first place, the Basutos themselves had distinct and decided claims upon us, although, perhaps, his noble Friend hardly did justice to their case. In 1871 Basutoland had been annexed to Cape Colony, then a Crown Colony; and in 1872 a responsible Government was forced upon the Cape. The Basutos were then placed under a system of government for which they did not bargain, and to which they strongly objected; and out of their enforced union with the Cape Colony it seemed to him not improbable that much of the difficulties with the Basuto race had arisen. But the Cape Colony, no less than the Basutos, had claims upon us, because their general policy with regard to Native Tribes had been considerate and humane, although they might have made mistakes. The great reason of all, however, why he thought they ought to take this step was that he believed we could govern the country well, and, comparatively speaking, with little outlay, because, as had been pointed out, the Native taxation had always been sufficient to bring in a very large return. The noble Earl proposed, as one of the conditions of annexation, that the Cape Colony should give a contribution, which was to be a matter of bargain, and, if he understood rightly, that they should give an equivalent for the Customs duties. Now, he should regret very much if the noble Earl accepted an equivalent for the Customs duties in lieu of the Customs duties themselves, because if they took over Basutoland they would have to take over something more. He was satisfied they would have to take over the country, including Pondoland, down to the sea coast; and if they took over that tract of country they must maintain their power over the Customs duties.

THE EARL OF DERBY said, there was no proposal to take over that district. He was not dealing with that state of things at all.

THE EARL OF CARNARVON said, that it was of no use to blink this question, which was an essential part of the matter—that he warned the noble Earl that he would have to consider the point now raised, because of the contingency that he had indicated, and that this would necessitate a revision of the whole scheme. But there was one other reason why he thought this step was a prudent one. In his opinion, the system of magistrates which could be devised from this country was a better system than that which it was in the power of the Cape authorities to arrange. He should not be thought to find fault with the Cape Government when he said that, as far as he was aware of the facts of the case, the magistrates who had been appointed in Basutoland had, in many respects, failed in maintaining the system for the carrying out of which they were appointed. With regard to the difficulties in the future, he wished to point out, in the first place, that the Border population was not at present under control; and, from that point of view, he was not disposed to quarrel with the condition that the Orange Free State should use their best means to maintain order along the Frontier. It was very desirable to make the Orange Free State parties to this transaction. At the same time, it was desirable to know what the noble Earl meant by "keeping order." If it was meant that the Orange Free State were to keep strict order along their own Frontier without crossing the Border and interfering with the people of Basutoland, he had nothing to find fault with; but if a door was to be opened to their interfering with the Basutos, then, he feared, complications would sooner or later arise. His noble Friend said that the Basutos must accept our rule cheerfully. So far as the bulk of the people were concerned, he believed that it was probable that our rule would be welcome. It must, however, be borne in mind that in recent years the power of the Chiefs in Basutoland had undergone considerable alteration. Their power had, on the whole, been waning; and their position now was this—that in some respects they had too much power, in other respects they had too little. He was tolerably confident that at present the great part of the people would accept our rule cheerfully; but a few years hence questions might arise as to how far the Chiefs themselves were prepared to accept it, and it would be very desirable indeed if some steps could be taken — some practical and unquestionable test proposed and accepted—to show that the Chiefs, as well as the people, were prepared to accept our government. That was a view in which anyone who knew South Africa would agree. There were three important considerations which seemed to him to arise out of this question. In the first place, there had been a remarkable change of policy in the last five or six years in South Africa. Since he held the Seals of the Colonial Office an enormous change of feeling and policy on many important questions had taken place, alike in the Cape, in the Colony of Natal, and the Orange Free State, to which must be added the important fact that the Basutos had had the best of the Cape Government in war, just as the Boers of the Transvaal had beaten us. These changes and circumstances had produced very great effects in South Africa, effects which went far beyond the limits of the present transaction. In the next place, recent events had shown that a responsible Government, with a Parliamentary Government, though very desirable in many respects, was by no means the best instrument for dealing with the Natives or Native affairs. These Native Tribes looked with much more confidence to a single head, such as the Queen or a Resident Governor, than to an Assemby of responsible Representatives or a Parliament. The very system of Parliamentary government involved a frequent change of officers and functionaries; and it was impossible, in such circumstances, there could be that fixity and continuity of government which was absolutely essential in dealing with Native races. He did not, in this instance, desire to see what was called a Crown Colony system of government established. What was needed here should be of the simplest possible kind. There was no need for Councils, or any of the machinery which existed in some Crown Colonies. The country could be governed by Residents and magistrates, making every Native feel that justice was administered as between man and man; and, on the other hand, using, as far as possible, the instrumentality and the agency of the Chiefs.

THE EARL OF KIMBERLEY said, he did not intend to follow the noble Earl in his observations on the course adopted by the Government on this question. The noble Earl had, however, alluded to a despatch which he (the Earl of Kimberley) had written last year, when he had the honour to hold the Seals of the Colonial Office. In that despatch he had said it was not the intention of the Government to take any steps to relieve the Cape Colony from responsibility in connection with Basutoland. If Her Majesty's Government interfered in any way prematurely, it was only too probable that there would be a recurrence of the difficulties which had already been experienced. The object of Her Majesty's Government had been to test whether the Cape Colony could settle this matter of Basutoland to their own satisfaction. He had always thought that the time might come when that Colony would come to a determination to repeal the Annexation Act, and that it would then be for the Government to consider whether they should resume Basutoland. For his own part, he heartily and entirely concurred in the determination which had been arrived at by Her Majesty's Government in the present juncture. At the same time, it was quite as well that Her Majesty's Government, in undertaking this course, which he believed to be the only one adapted to the circumstances, should not disguise from themselves the gravity of the step as regarded the whole of our position in South Africa. The noble Earl who had just spoken might remember that some years ago he called on the Cape Colony to contribute towards the expenses of the troops in that Colony. They were asked to contribute, he thought, some £40 a-man, which was the contribution asked from certain other Colonies. The Cape Colony at that time, having Parliamentary institutions, steadily refused to make any such contribution; and his noble Friend informed the Cape Government that if they were not prepared to contribute towards the cost of their defence they must be left to take in their own hands the defence of their Frontier, and that, though it might be a question of time and opportunity, Her Majesty's Government would reduce the Forces employed in South Africa to a garrison of Cape Town. This policy, from the time his noble Friend received that refusal, had been more or less steadily pursued by successive Colonial Ministers. There was, to his mind, one most unfortunate departure from that policy, which was when Sir Bartle Frere dismissed his Ministry because they wished to carry on a frontier war without the assistance of the Imperial troops. From that moment everything had gone wrong in the Cape Colony with regard to those matters. When the Colony found they were to be relieved from the responsibility of defending their Frontiers, and that the old system was to be pursued of the Frontiers being defended at the expense of the Empire, fresh difficulties arose in consequence of the steps taken in pursuance of Sir Bartle Frere's policy. With respect to the Disarmament Act itself, that was a perfectly wise step to take, as it merely enabled the Government by Proclamation, where it was thought necessary, to disarm the Natives; but the attempt to disarm the Basutos was most impolitic. The position in which this country found itself in regard to those matters was, that we were, more or less, going back to the old state of things, which we had for many years abandoned, but going back with one serious difference, and that was the reason why he made those observations. Practically, if the Cape Government agreed to the condition which Her Majesty's Government proposed with reference to expense, we should be arriving by another road at that which the noble Earl opposite (the Earl of Carnarvon) wished to bring about many years ago—namely, that the Imperial Government should undertake to manage the Frontiers, but that the Cape Government should contribute a fair share of the expense. He would not say that in the peculiar condition of South Africa at the present time this might not be the best and wisest system; but that was a very different thing from saying that the Imperial Government should bear, not only the responsibility, but the whole of the expense of the ordinary control of those Frontiers. In some great crisis we might be called upon to assist the Colony; that was perfectly reasonable, and might hold good with regard to all our Colonies; but in ordinary times it was fair to expect that we should receive from them a reasonable contribution towards the expense and responsibility which were undertaken. Because it must be remembered that, although the Cape Government now in their distress came to the Imperial Government and were desirous that they should take over the charge of Basutoland, that Government had not taken this course until they had exhausted all the means at their command in gallantly endeavouring to discharge the responsibilities which they had undertaken; and when a Colony came to ask assistance under such circumstances it had a right to expect that the Empire to which it belonged would give it. That was his view of the present situation as regarded Basutoland, and he hoped that the condition that his noble Friend had laid down would be accepted. The present circumstances were favourable to it, as we had the concurrent opinion of the Cape Colony and the Orange Free State. The latter point he considered to be of the highest importance, and he thought it was probable that the Basutos themselves would be willing to recognize our authority; but, as the noble Earl opposite had said, we must have the consent of the Chiefs; for if we were to go back to Basutoland without the distinct consent of the Chiefs, and without an unmistakable indication that they would submit to the Imperial authority, we should only embark in troubles, the end of which we should not be able easily to foresee.

CONTAGIOUS DISEASES ACTS.

MOTION FOR AN ADDRESS.

Moved for—

"An Address to Her Most Gracious Majesty for, Copy of all orders given with respect to the operation of the Contagious Diseases Acts since the vote of the House of Commons in reference to compulsory examination."—(*The Marquess of Salisbury.*)

THE EARL OF NORTHBROOK: My Lords, a statement was made on Tuesday by the noble Viscount (Viscount Lifford), on the authority of a correspondent of his, that on the arrival of a transport at Portsmouth with troops, 30 women had left the Lock Hospital at Portsmouth uncured. I promised to make inquiry. It seems that some similar story appeared in one of the London papers; and the visiting surgeon for Portsmouth, Dr. Parson, wrote to the Admiralty at once on seeing it, to say that—

"There is no foundation whatever for the statement therein contained of women having left the hospital, nor have any expressed any desire or shown any intention to do so until cured."

Motion *agreed to.*

PUBLIC HEALTH (DAIRIES, &c.) BILL [H.L.]

A Bill to make further provision for the Regulation of Dairies, Cowsheds, and Milkshops—Was *presented* by The LORD PRESIDENT; read 1ª. (No. 92.)

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 14*th June*, 1883.

MINUTES.]—NEW WRIT ISSUED—*For* Peterborough, *v.* George Hampden Whalley, esquire, Manor of Northstead.

PUBLIC BILLS—*Ordered—First Reading*—Electric Lighting Provisional Orders (No. 6) (Limehouse, &c.)* [227].

Second Reading—Surrey (Trial of Causes) [65], *debate* further *adjourned.*

Committee—Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Third Night*]—R.P.

Committee—Report—New Forest (Highways) (*re-comm.*)* [225]; Friendly, &c., Societies (Nominations) [117-228].

Report—Tramways Provisional Orders (No. 3)* [169]; Tramways Provisional Orders* [167].

Considered as amended—Local Government Provisional Order (Highways)* [193]; Local Government Provisional Orders (No. 7)* [196]; Tramways Provisional Order (No. 4)* [201].

Third Reading—Elementary Education Provisional Orders Confirmation (Cummersdale, &c.)* [163]; Local Government Provisional Orders (Poor Law) (No. 3)* [192]; Local Government Provisional Orders (No. 5)* [194]; Lord Alcester's Grant* [207]; Lord Wolseley's Grant [208]; Forest of Dean (Highways)* [222]; Registry of Deeds (Ireland* [202], and *passed.*

QUESTIONS.

FISHERIES (IRELAND).

MR. MITCHELL HENRY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will endeavour to arrange with the Admiralty to place at the disposal of the Fishery Commissioners during the summer a suitable vessel, with the necessary apparatus, in order to determine whether a valuable bank of fish exists in the west of Ireland near to Clifden and the adjacent islands?

MR. TREVELYAN: Without further information on the subject than the Government have been able to obtain since this Question was put on the Paper, they are unable to give any undertaking in the sense desired by the hon. Member.

MR. MITCHELL HENRY: I would ask the right hon. Gentleman whether the Government will endeavour to obtain further information, or am I to accept his answer as a declaration that the Government prefers that the starving inhabitants of the West shall be eaten up by the fish rather than that the fish shall supply food for them?

MR. TREVELYAN: The hon. Member generalizes a good deal too much. He asks whether, at a particular point of the Irish coast, more than at any other point, the Government, without any other authority, will send a ship? That is a Question which demands a good deal of consideration, which I think is not unreasonable. If a ship were sent to every point that the hon. Member suggests without examination on that coast it is obvious that great and unnecessary expense would be incurred.

MR. MITCHELL HENRY: I fear I have not made my Question intelligible to the right hon. Gentleman. I ask the right hon. Gentleman whether, in a particular district in which there is chronic destitution and famine, and as to which it has been reported by the Fishery Commissioners that there are extensive banks of fish, Her Majesty's Government will take means to inquire into the existence of such banks of fish?

[No reply was given.]

CROWN LANDS BILL—THE NEW FOREST—FUEL RIGHTS.

LORD **HENRY SCOTT** asked the Secretary to the Treasury, Whether it is not a fact that the Crown now possesses the power to purchase by agreement fuel rights in the New Forest; whether it is essential to the public interest to retain the Clauses in the Crown Lands Bill which make it compulsory on the owners of fuel to sell them to the Crown; and, having regard to the fact that the evidence of such owners of fuel rights as have petitioned Parliament against these Clauses was not heard by the Select Committee to which the Crown Lands Bill was referred, he will consent to withdraw Clauses 7 and 8 in that Bill?

MR. **W. H. JAMES** asked the Secretary to the Treasury, Whether the present owners of fuel rights have never been invited by the Crown to sell them by agreement, under its general powers of purchase conferred upon it by the Act 10 Geo. 4, cap. 50; whether the fuel rights, like the other common rights in the New Forest, extend over the entire forest, with the temporary exception of such lands as may be from time to time enclosed within temporary fences for the growth and preservation of young timber, under the Acts of 1698, 1808, and 1851, and not yet thrown open, and whether the woodland available for the supply of the fuel rights at the present time (adopting the estimate made by the Hon. J. K. Howard, late Chief Commissioner of Woods and Forests, in his special report presented to Parliament in 1871, and subsequently, by order of the House, reprinted in 1875), amounts from 13,500 to 14,000 acres; and, whether the owners and the exercisers of the fuel rights, who are entitled to about 344 out of a total of 406 loads of wood from the New Forest, and who have petitioned against sections 7 and 8 of the Crown Lands Bill, have pledged their "local experience" that the fuel rights have always been satisfied, and may continue to be satisfied, without the sacrifice of any ornamental timber?

MR. **COURTNEY**: I will answer my hon. Friend the Member for Gateshead at the same time as the noble Lord. The Crown can now purchase the fuel rights by agreement, and although they have not sent a Circular distinctly inviting sales, the fact is generally known by those interested. With respect to the case of the owners, although due notice was given, and ample opportunity for petitioning, the hostile owners did not see fit to appear before the Committee at the proper time; but, notwithstanding this, the Committee gave them an opportunity of making a statement, which, however, did not modify its decision. It is very desirable to get rid of these rights, because, as the Commissioner of Woods says, and the Select Committee agreed, before long there might not be timber to satisfy them. They are confined to the uninclosed parts of the Forest; and these, after deducting the 16,000 acres which the Crown is entitled to reserve, amount to only 6,169 acres of timber, of which 4,500 may be described as "ornamental and ancient woods." Thus there is now little available to supply the annual demand, which is equivalent to about 320 large trees; and it may soon be necessary to reduce the assignment of fuel to half rations. Some local people have asserted that no injury would be caused by the continuance of these rights; but they are probably not aware that they do not extend to the Crown reserves. Under these circumstances, I am not at present prepared to withdraw the compulsory clauses.

POOR LAW (IRELAND)—BELFAST WORKHOUSE.

MR. **BIGGAR** asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the proposal of the Belfast Guardians of the 29th ultimo, to erect a new detached dwelling house for the present workhouse master, at a cost of £600 or £700; is said proposed house outside workhouse grounds; if it be true that the master was only appointed about two years ago, and since this time upwards of £200 have been expended in general improvements to, and furniture for, his apartments, in addition to the furniture previously purchased for them; is it true that this expenditure was incurred in order to accommodate the master's wife and family, who are maintained out of the rates; are these apartments the same as those occupied by all previous masters; and, will he undertake to have this proposal of the guardians set aside on the ground that the expenditure is unnecessary?

Mr. TREVELYAN, in reply, said, he had already partly answered this Question. In consequence of the master's apartments having been condemned as unhealthy and unfit to live in, the Guardians had resolved to erect a dwelling-house for him, at a cost not to exceed £400. No site had been selected; but it was understood that the proposal was to build the house within the workhouse grounds, near the main entrance. The Local Government Board would not approve of a site outside the grounds. The present master was appointed in February, 1881, since which time £78 had been spent in furnishing his rooms, which contained hardly any furniture at the time of his appointment. They were the same rooms as those occupied by his immediate predecessor; but former masters had other accommodation which was not now available. The late master lived alone in the workhouse. The present master's wife and family resided with him. It was not the case, however, that they were supported out of the rates, and he did not quite understand that part of the Question. The whole matter was still before the Guardians, and he understood that notice had been given to rescind the resolution to build the house.

METROPOLITAN ASYLUM BOARD—THE SMALL-POX HOSPITAL AT DARENTH.

Mr. Alderman COTTON asked the President of the Local Government Board, Whether he will withhold his sanction for the Metropolitan Asylum Board to erect a Small Pox Hospital for Convalescents, and for patients suffering from the disease in a mild form, at Darenth, near Dartford, Kent; and, whether he is aware that such Hospital would, if erected, be in a large residential locality, and also in close proximity to the following institutions:—The City of London Asylum for Imbeciles; the Kent Penitentiary; the St. Vincent Industrial Schools; and the Metropolitan District Asylum?

Mr. GEORGE RUSSELL: My right hon. Friend (Sir Charles W. Dilke) has requested me to answer this Question. The Board, after full consideration of the circumstances, expressed their general approval of the proposal of the managers of the Asylum District to purchase 130 acres of land at Darenth for the purpose of the erection of a hospital; and the Board are aware of no sufficient reason for withholding their formal sanction to the purchase. The information before the Board does not support the statement that the hospital, if erected, would be in the midst of a large residential locality; and, with regard to the Institutions which it is stated would be in close proximity to the hospital, the Kent Penitentiary is about three-quarters of a mile from the land on which the hospital is proposed to be erected; the City of London Pauper Lunatic Asylum about a mile and a quarter; and the St. Vincent Industrial Schools at a distance of about two miles. The Metropolitan District Asylum is nearer; but there will be a large belt of land separating the two Institutions, and it is to be observed that both will be under the same Board of Managers.

PUBLIC HEALTH (METROPOLIS)—INFECTIOUS DISEASES.

Mr. Alderman COTTON asked the President of the Local Government Board, Whether he has declined to receive a deputation of Metropolitan Guardians, representing a conference of the guardians of the metropolis in reference to a scheme for the care and maintenance of persons suffering from infectious diseases in the metropolis, upon the ground that such scheme would be an entire reversal of the present arrangements which have been in force for the past sixteen years?

Sir CHARLES W. DILKE: The Board have had communicated to them a scheme for the care and maintenance of cases of infectious disease in the Metropolis, which was ordered to be prepared at a conference of Guardians, and they were asked to receive a deputation on the subject. The scheme contemplates that the 30 Metropolitan Boards of Guardians should be empowered to deal with pauper cases "each union in its own locality;" that non-pauper cases should be referred to the sanitary authorities; and that those authorities also should provide hospital accommodation. The Metropolitan Asylum Board was constituted in consequence of no adequate provision having been made by Boards of Guardians for cases of infectious disease, and the great difficulty which attended the provision of such accommodation in each union and parish. The Board believes that independently of the expense which the establishment of so large a number of hospitals, each with its own staff of officers, would involve, it would, in the case of many Unions—such, for instance, as the Strand and Westminster—be almost impossible for the Guardians to obtain suitable sites within the Unions for small-pox cases. Not a single Board of Guardians in the Metropolis, so far as the Board are aware, has as yet expressed its concurrence in this scheme; and it appeared to the Board that there would be no advantage in receiving the proposed deputation.

SPAIN—THE STEAMSHIP "TANGIER."

DR. CAMERON asked the Under Secretary of State for Foreign Affairs, Whether it is true that the Captain of the Port of Carthagena, who was ostensibly dismissed from his office in deference to British remonstrances regarding his armed attack upon the steamer "Tangier," has, as stated in the "Shipping Gazette" of May 29th, "since been promoted to the better Port of Cadiz?"

LORD EDMOND FITZMAURICE: No, Sir; it is not true.

POST OFFICE—ARDLEY POST OFFICE.

MR. E. W. HARCOURT asked the Patronage Secretary to the Treasury, Whether it has come to his knowledge that serious complaints have been made of the appointment of James Addison, as sub-postmaster at Ardley, in Oxfordshire; and, whether he will cause inquiry to be instituted into the truth of allegations which, if substantiated, would cast discredit upon the appointment?

LORD RICHARD GROSVENOR, in reply, said, that serious complaints had been made as to the appointment in question. Inquiries had been instituted, and there appeared to be some foundation for them; but the facts were not such as to disqualify the person appointed. Moreover, a Memorial, numerously and influentially signed, had been received in his favour from the inhabitants of the district.

CATTLE DISEASE—FRANCE.

VISCOUNT NEWPORT asked the Chancellor of the Duchy of Lancaster, What are the regulations at present in force with respect to the importation of cattle from France; and, whether, in view of the prevalence of foot and mouth disease in France at the present time, the Government will continue for some months longer the order issued on the 6th of April 1883, prohibiting the landing in this Country of animals from France?

MR. DODSON, in reply, said, that an Order was passed on the 28th of March prohibiting the importation of animals from France, and that Order had been renewed at various dates and extended now to July 6th, so that it was still in force. The French Government were taking very energetic measures to prevent the exportation of disease; but it was too early yet to decide whether it would be advisable to allow the prohibition to drop on July 6, or whether it would be necessary to renew it again for a limited period.

EGYPT—EGYPTIAN EXILES IN CEYLON.

SIR HENRY HOLLAND asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House a Copy of the Despatch of the Governor of Ceylon upon the question of the allowance which, in his judgment, was requisite for the Egyptian exiles in Ceylon?

LORD EDMOND FITZMAURICE: I stated on Monday, in reply to my hon. Friend the Member for Northampton (Mr. Labouchere), that communications on this subject are still proceeding; and, pending a settlement, I cannot give any undertaking as to the publication of the despatch of the Governor of Ceylon.

SOUTH AFRICA—CETEWAYO.

MR. GUY DAWNAY asked the Under Secretary of State for the Colonies, Whether his attention has been called to a letter from the secretary of the Aborigines' Protection Society, published in *The Daily News* of June 9th, which contains an extract from a letter of Cetewayo to the Bishop of Natal, dated April 15th, in which Cetewayo announces his intention of summoning his people to arms, and requests permission from the Lieutenant Governor of Natal to allow him also to obtain assistance from the Zulus in the reserved territory; and, whether, having regard to the fact that in the same letter Cetewayo himself expresses his opinion that under the present scheme of restoration "Blood will never cease," and that "the country is going to ruin," and having regard also to the statement made by Sir Henry Bulwer, in his official report of February 15th, that Cetewayo "had scarcely landed in Zululand before he began to break the conditions" under which he was restored, the Government will re-consider the advisability of placing the whole country and its present chieftains, including Cetewayo, under the supreme authority of a British Resident, by extending to the whole of Zululand the efficient and self-supporting system of Government now adopted in the Zulu Native Reserve? The hon. Member had a second Question on the Paper, referring to the charges of misrepresentation made by Sir Henry Bulwer against the Natal Correspondent of *The Daily News*, the asking of which he postponed, understanding that that Correspondent had addressed some communication to the Colonial Office in reply to Sir Henry Bulwer's charges.

Mr. EVELYN ASHLEY: With reference to the remarks just made by the hon. Member, I must offer a correction. The communication to which he refers has not yet been received at the Colonial Office; but we have been informed that it will arrive. If the hon. Member will allow me to say it, I would point out that his Question is somewhat unusual, as being an argumentative statement of what are his views as to the policy which the Government ought to pursue, rather than a question as to facts. However, I will say, in reply, that "the system of government adopted for the Zulu Native Reserve," was devised in order to enable the Government to keep faith by securing a place of refuge for any Chiefs or people who might be unwilling to come again under Cetewayo, but this consideration would not apply to the rest of Zululand; and, as we have never acknowledged, or assumed, any Protectorate over that country, the Government are not at present prepared to adopt the views advocated by the hon. Member.

PUBLIC WORKS DEPARTMENT (INDIA) —CIVIL APPOINTMENTS.

Mr. CARBUTT asked the Under Secretary of State for India, To state under what circumstances Captain I. W. Otley, R.E. was appointed (see Government of India Gazette notification, No. 106, dated 28th April 1883) a superintending engineer, 3rd grade, in the Public Works Department, in supersedure of twenty civil engineers of greater seniority; and, if Her Majesty's Government approve of the action of the military heads of the department in India filling almost all the administrative posts in the public works with officers of Royal Engineers; also under what particular circumstances Lieutenant G. K. Scott Moncrieff, R.E. Assistant Engineer, 1st Grade, Indian Public Works Department, was appointed (see "Gazette of India," 9th May 1883) a Deputy Consulting Engineer for Guaranteed Railways, in supersedure of twenty-seven senior officers, nine of whom were 2nd Grade Assistant Engineers for one and a-half years before Lieutenant G. K. Scott Moncrieff, R.E. entered the Public Works Department; also to state what experience on Railways Lieutenant Scott Moncrieff, R.E. has had which renders him a proper officer to be consulted on Railway matters; and, to inquire whether Her Majesty's Government approves of the appointment of Military Officers, without experience, to such posts, at a time when economy might be effected by employing some of the many duly qualified Civil Engineers in the Department, who are senior to Lieutenant Scott Moncrieff, R.E.?

Mr. J. K. CROSS: The Government of India do not furnish the India Office with particulars respecting appointments such as those referred to in the Question of my hon. Friend. I am unable to state what reason there may have been for the appointment of Lieutenant Scott Moncrieff. Such appointments are not made by "the military heads of the Department," as my hon. Friend seems to suppose, but by the Government of India, who, in the opinion of the Secretary of State, may be relied on to make a fit choice of officers for particular posts.

EGYPT (MILITARY EXPEDITION)—ARMY HOSPITAL SERVICES INQUIRY COMMITTEE.

MR. HENEAGE asked the Secretary of State for War, Whether he concurs in the view taken by the Army Hospital Services Inquiry Committee in their report with reference to the scope of the inquiry; and, whether, since such limitation of the inquiry is not in accordance with the strongly expressed demand of the House and the Country last October for a thorough and searching inquiry as to the complaints made against the Medical and Hospital Services in Egypt, as well as against those responsible for the supply of Stores and Transport Contracts in connection with the hospitals; what further inquiry he proposes with reference to those officers of high rank who are charged with declining to assume the responsibilities of their position, and to undertake any initiative themselves in order to supply the wants or alleviate the sufferings of the sick and wounded; also in respect of the responsibility and blame which is stated to rest on Lieut.-General Sir John Adye and Deputy Surgeon General Sir J. Hanbury, for permitting such a state of things to exist in Egypt as that described in Lord Wolseley's evidence without, as is alleged, any attempt on their part to remedy the hospital deficiencies?

THE MARQUESS OF HARTINGTON: The limitation of the scope of the inquiry of which my hon. Friend complains is, I presume, that which is referred to in the 99th paragraph of the Report, in which the Committee state—

> "It is not contemplated in our instructions that we should in any sense perform the functions of a Court of Inquiry into the conduct of individuals."

The Committee seem to have taken a just view of their instructions. Those instructions were carefully drawn by my Predecessor, and were read to the House by the Financial Secretary on November 28 last. Under the circumstances, I am not prepared to admit that any limitation has been place on the scope of the inquiry beyond that with which the House was made acquainted. Without in any way accepting the statement of the hon. Member as to charges said to be preferred against gallant officers, I will say that I propose to carefully consider the recommendations made by the Committee with a view to remedying any deficiencies which they have pointed out in hospital arrangements, medical organization, &c.; but I do not contemplate a further inquiry such as that suggested by the hon. Member.

LAW AND POLICE—THE SENTRIES AT THE LAW COURTS.

MR. GOURLEY asked the Secretary of State for War, Under whose authority, and for what purpose, soldiers are engaged in doing daily duty at the Law Courts; and, whether he has had any intimation from the judges that they need a military guard?

THE MARQUESS OF HARTINGTON: Soldiers have been employed on sentry duty at the Law Courts on my authority, for the purpose of assisting the police in the protection of the buildings. I have not had any intimation from the Judges in the matter; but the sentries were furnished on the request of the Secretary of State for the Home Department. I may add that the police arrangements having now been sufficiently advanced, the sentries have been withdrawn.

OPEN SPACES (METROPOLIS)—PECKHAM RYE — RIGHT OF PUBLIC MEETING.

MR. BROADHURST asked the Chairman of the Metropolitan Board of Works, Whether, considering all the circumstances, the Metropolitan Board of Works will withdraw their prohibition to public meetings on Peckham Rye?

SIR JAMES M'GAREL-HOGG: The bye-law relating to public meetings on Peckham Rye is under consideration by a Committee of the Board; but I am unable to inform the hon. Member what decision may be come to.

DIPLOMATIC AND CONSULAR SERVICES—THE CONSUL GENERAL IN EGYPT.

MR. W. H. SMITH asked Mr. Chancellor of the Exchequer, Whether, seeing that the sum of £2,500 is set out in the Estimates as the salary of the Consul General in Egypt, it is the intention of the Treasury to authorize a higher payment to an officer holding that position without submitting a Supplementary Estimate to Parliament?

MR. ONSLOW also asked, Whether the remuneration to be given to Major Baring, on account of his transfer from India to Egypt, is to be a charge on the Imperial or Indian Exchequer; what is the amount of the proposed remuneration; and, whether a Vote on this account is to be asked for?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): It is intended to propose that the salary of the Consul General in Egypt shall be £4,000 a-year; and a personal allowance will be granted to Major Baring, not to be continued to his successor. The amount of this allowance has not been settled; but neither it nor any part of the salary will be a charge on the Indian Exchequer. I do not find that it has been usual to propose a Supplementary Estimate in respect of the increase of an individual salary, after the Vote has passed, if the aggregate Vote is not exceeded; but, however that may be, in this case the Vote has not passed, and an amended Estimate will be laid on the Table, showing the new salary and personal allowance, on which any Amendment may be proposed.

MR. ONSLOW: I presume the allowance is to be made to Major Baring because of the differences of the salary of the office he holds now to that which he will receive as Consul General?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): That question will be raised on the Vote when it is proposed.

MR. CARBUTT: What is Major Baring's salary now?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Speaking from memory, the salary of the Member of the Council of India who has control of the Treasury Department is 6,600 rupees a-month. The equivalent of that in our money depends on the rate of exchange.

LORD RANDOLPH CHURCHILL: I presume the right hon. Gentleman will give ample Notice before the Vote is taken.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Certainly; ample Notice will be given.

POOR LAW (IRELAND)—ELECTION OF POOR LAW GUARDIANS—THE OMAGH UNION.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the inquiry ordered by the Local Government Board into the conduct of the returning officer at the recent election of Poor Law guardians for the division of Greenan, in the union of Omagh, has been postponed by the inspector, Mr. Armstrong, for the convenience of the Conservative guardian who was declared elected; whether the intended postponement was only communicated to the persons impugning the election on the previous day, and was followed by a second communication, intimating that Mr. Armstrong would sit as originally arranged; whether he is aware that, on the faith of the latter announcement, they at great expense and inconvenience brought their solicitor and witnesses into Omagh on the day named, when the returning officer, whose conduct alone was in question, was also in attendance; whether no evidence was in fact taken; and, whether, in view of Mr. Armstrong's local associations, the Local Government Board will take steps to have the inquiry speedily conducted by an officer unconnected with the locality?

MR. TREVELYAN: The right of Mr. William Deazley to act as Guardian was questioned by Mr. Joseph Slevin on the alleged ground that he had not obtained a majority of valid votes. This was the matter which the Inspector, Mr. Armstrong, was directed to inquire into. The circumstances connected with the postponement are explained in the following telegram received from Mr. Armstrong:—

> "I fixed 7th instant for inquiry. On previous day I heard from Deazley that he had gone to Donegal on urgent business and could not attend. I at once wired to Mr. Slevin that I must postpone. He wired back protesting. I answered I would attend and hear what was to be said. I opened inquiry and adjourned it until 21st, as I did not think it right to proceed without Deazley. I took no evidence. No doubt solicitor and several witnesses attended; but I think that was owing to Slevin not understanding second telegram."

The Local Government Board are of opinion that Mr. Armstrong was fully justified in postponing the inquiry, and they do not consider it necessary to direct another Inspector to conduct it.

PAPAL SEE—DIPLOMATIC COMMUNICATIONS—MR. ERRINGTON.

MR. O'BRIEN asked the Under Secretary of State for Foreign Affairs, Whether any communications passing between Mr. Errington and the Foreign Office will be printed for the information of the House?

LORD EDMOND FITZMAURICE: No, Sir; it is not intended to do so.

MR. O'BRIEN: Might I ask whether the noble Lord thinks that it is a satisfactory state of things that the people of England and of Ireland should be left dependent upon interviews with the correspondent of *The New York Herald* for information as to what has passed on this matter?

MR. SPEAKER: The hon. Member is now asking the noble Lord for his opinion, which is not regular in a Question.

CHARITY COMMISSIONERS — THE GRIFFITH AMERIDETH EXETER CHARITY.

MR. H. S. NORTHCOTE asked the Vice President of the Council, If it is the fact that the Charity Commissioners have for some time past withheld from the Trustees of the Griffith Amerideth Exeter Charity the dividends from Stock invested in the names of the Official Trustees of that Charity; and, if so, under what statute, and with what ultimate intention, have the Charity Commissioners thus acted?

MR. MUNDELLA: It appears that in 1556 the Founder of this Charity bequeathed the profits of his lands for the purchase of shrouds for prisoners who should suffer death in the city of Exeter. By orders of the Court of Chancery and of the Charity Commissioners, the trust is now administered by municipal trustees, the Stock being held by "the official trustees of charitable funds." The demand for shrouds having happily declined, the income has been applied, without authority, to the purchase of petticoats for old women. The Commissioners have repeatedly suggested to the trustees that they ought to apply for a scheme for the legitimate distribution of the funds; but the trustees have positively refused compliance. The Commissioners, accordingly, under their general powers conferred by Statute, have directed the official trustees to retain the dividends, and they have since received an application from the Home Secretary for a scheme under the Prisons Acts, which will provide for the disposal of the funds for the benefit of discharged prisoners.

ARMY—VISITATION OF ARMY HOSPITALS.

MR. ROUNDELL asked the Secretary of State for War, Whether, under the Army Regulations, adequate provision is made for the regular visitation of hospitals by responsible officers other than those belonging to the Medical Staff whilst the Army is in the field; and, if not, whether Her Majesty's Government will cause such provision to be made?

THE MARQUESS OF HARTINGTON: The Queen's Regulations explicitly hold General Officers responsible for seeing that hospitals are frequently visited, either by themselves, or by other officers under their direction.

SOUTH AFRICA—BECHUANALAND.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether his attention has been called to a letter published in the "Daily News" of the 11th instant, headed "Freebooters in Bechuanaland," in which it is alleged that a boundary has been beaconed out by freebooters that would enable them to stop British trade with the natives of the interior; and, if the statement be true, what steps the Government will take to protect British interests?

MR. EVELYN ASHLEY: We have no official information of a boundary having been beaconed out by freebooters in Bechuanaland; but it would appear, by looking at the map, that the roads to the interior must pass through the territory which has been lately occupied by them. However, this question of trade concerns more immediately the Cape Government; and we shall await till we hear from them in order to concert with them what action should be taken in view of any stoppage of trade.

AFRICA (WEST COAST)—BRITISH SHERBRO.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether his attention has been called to the continuance of disturbances in British Sherbro, and especially to Reuter's telegram reporting the roasting alive of fifty persons charged with witchcraft; and, if he is able to say whether the persons thus said to have been murdered were slaves, prisoners of war, or British subjects; and, what steps Her Majesty's Government intend to take to re-establish British authority in the Country?

Mr. EVELYN ASHLEY: No Report has been received at the Colonial Office as to the alleged roasting alive of persons in British Sherbro. And as to the disturbances generally, I may say that, having consulted Mr. Havelock, the Governor of Sierra Leone, who happens at present to be at home, I think that the rumours and statements which have arrived are certainly exaggerated. We know, however, that Mr. Pinkett, the officer administering the Government, has arrived at the disturbed district with an adequate force of police and troops, and I hope that next mail may bring us news of the entire re-establishment of order.

PREVENTION OF CRIME (IRELAND) ACT, 1882—POLICE AT KILMALLOCK.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that the number of police allowed for the Kilmallock Station, according to regulation order, is insufficient for the ordinary duties of that district; and, if it is the fact that the additional number of men required to perform such duties have been sent there under the provisions of the Crimes Act, and the cost of the same charged to the ratepayers of that district?

Mr. TREVELYAN: The regular police force allowed for the Kilmallock Station is sufficient for the ordinary duties of the district. The additional force quartered there under the Crimes Act, and for which the inhabitants have to pay, is required for a special purpose, which I have already more than once stated in reply to former Questions.

Mr. O'SULLIVAN: May I ask what are the special duties in the town of Kilmallock for which an extra force of police is required?

Mr. TREVELYAN: I am very unwilling to be discourteous to the hon. Member; but I explained the matter very fully the last time I was questioned about it. There is an extremely perilous case for which some people in Kilmallock are of opinion the authorities are responsible.

ITALY—COMMERCIAL TREATY.

Mr. MONK asked the Under Secretary of State for Foreign Affairs, Whether he is able to confirm the statements which have appeared in the public Press respecting the negotiation of a Treaty of Commerce with Italy for a term of years?

Lord EDMOND FITZMAURICE: The terms of a new Treaty of Commerce and Navigation between Great Britain and Italy have been agreed upon, and the Treaty will be signed forthwith. It will closely resemble the Treaty now in force, which expires on the 30th instant; and its general effect will be to secure to Great Britain absolute and unconditional "most favoured nation" treatment. The coasting trade in Italy will, however, be no longer guaranteed to British subjects on the same terms as to Natives. The Treaty will contain a stipulation reserving the power to the self-governing British Colonies to accede to the Treaty in case they desire to do so; and a separate Instrument will be signed agreeing to refer to arbitration any questions arising under the new Treaty, which cannot be settled by correspondence between the two Governments. The Treaty will not be terminable, at the earliest, until the 1st of January, 1888, and, unless then denounced, will remain in force until 1892.

POST OFFICE—SORTERS.

Mr. D. GRANT asked the Postmaster General, Whether in the recent notices posted in the Metropolitan district offices for second class sorters to apply for transfer to the General Post Office, it is intended that they shall carry their seniority with them?

Mr. FAWCETT: In reply to my hon. Friend, I have to state that on transfer to the General Post Office the sorters of the Metropolitan District will rank below those who are sorters there already; but that relatively among themselves they will rank according to seniority, and will carry with them their present pay.

CIVIL SERVICE (INDIA)—MR. BANERJEA.

Mr. O'DONNELL asked the Under Secretary of State for India, What was the precise charge on which Mr. Banerjea was removed from the Indian Civil Service?

MR. J. K. CROSS: Mr. Banerjea, as Assistant Magistrate, had to submit periodically a record of the state of business in his Court. In order to prevent this record showing the extent of the arrears into which, through sheer neglect of duty, he had allowed the cause list to fall, he was guilty, in the words of the Governor General in Council (the Earl of Northbrook), of "dishonest fabrication of his judicial records;" of "palpable abuse of his judicial powers;" and of "the infliction of injustice upon innocent persons." In other words, he had grossly neglected his duty, and excused himself by repeated prevarications. The charges against Mr. Banerjea were investigated by a Special Commission, appointed for the purpose, under Act 37 of 1850. The Commissioners were unanimous in finding him guilty, and the Viceroy concurred in their decision. The charges are 14 in number, referring, for the most part, to a single case. They are so lengthy, complicated, and technical that nothing would be gained by giving them in detail. But I shall be happy to show the Papers to any hon. Member who may wish to see them.

MR. O'KELLY asked how many Natives were on the Commission?

MR. O'DONNELL asked whether Mr. Banerjea had not always maintained that the evidence against him had been misrepresented by the Court; and whether it was not the fact that he had been raised to the position of honorary magistrate by Mr. Rivers-Thompson, the present Lieutenant Governor of Bengal, although that gentleman was opposed to the Native Jurisdiction Bill?

MR. J. K. CROSS said, that Mr. Banerjea had been appointed an honorary magistrate because he had achieved considerable municipal distinction in Calcutta, and the general practice was to appoint to honorary magistracies people who had attained that position. He was not in a position to answer the first portion of the Question.

MR. O'DONNELL asked whether it was in accordance with the rules of the Government of India to place a man who had been found guilty of fraudulent conduct in the position of an honorary magistrate?

MR. J. K. CROSS asked the hon. Member to give Notice of the Question.

PRISONS (IRELAND)—NEW PRISON RULES.

MR. PARNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any opportunity will be given for discussing the new Rule relating to the visits of untried prisoners before the expiry of the 40 days required by Law for it to lie upon the Table of the House?

MR. TREVELYAN: It is not usual for the Government to assist private Members in finding an opportunity to discuss Rules or Schemes that lie on the Table of the House. I remember myself often balloting by certain methods for opportunities to discuss matters on Tuesdays and Fridays, and staying up a whole month for the chance generally of being able to speak at half-past 2 o'clock in the morning. Of course, there are occasions on which the Government may willingly assist private Members, and perhaps they have done so. I do not know that Notice is on the Paper with regard to this Rule in the past month; but, in any case, I do not think that the circumstances of Public Business are such as to enable the Government to assist in obtaining an opportunity for the discussion.

MR. PARNELL: I wish to know whether the Prisons Act does not require that when a special Rule is made by the Lord Lieutenant it shall lie on the Table of the House for 40 days before it comes into operation; and I wish also to ask whether this Rule was not put in force by the Lord Lieutenant, although the number of days required by the law had not expired?

MR. TREVELYAN: Sir, I have already publicly stated during the Session that this Rule has been put in force by the Lord Lieutenant, under what was considered by his advisers a special emergency. The steps which are foreshadowed in the Rule were put in force, though whether the 40 days had expired I cannot say. I stated in the House, in a debate, that the steps which will henceforth be taken under this Rule were taken in January last.

MR. PARNELL: If the Lord Lieutenant can legally act without this new Rule, what is the object of it?

[No reply was given.]

METROPOLITAN BRIDGES — PUTNEY BRIDGE.

MR. FIRTH asked the Chairman of the Metropolitan Board of Works, Whether he is aware that the heavy traffic over Putney Bridge is shaking it rapidly to pieces; whether there is any ground for the opinion recently given by architects and other competent persons to the last Vestry meeting of Putney, that the old bridge will not last till the new one is ready; and, what the Board propose to do in order to avert impending accident?

SIR JAMES M'GAREL-HOGG: I think the hon. Member rather overrates the effect of heavy traffic on Putney Bridge. The Bridge has for many years been maintained by the removal, from time to time, of decayed timbers and the substitution of sound ones in their place; and this process of renewal is still going on, under careful supervision, so that the Bridge will be made to last until the new Bridge is completed.

SOUTH AFRICA—THE TRANSVAAL—THE PAPERS.

MR. GUY DAWNAY asked the Under Secretary of State for the Colonies, When the Transvaal Papers, which he stated on May 31 would be produced very shortly, will be laid before the House?

MR. EVELYN ASHLEY: If the hon. Member will refer to *The Times* he will see that what I said was that—

> "I cannot quite tell when the Papers will be laid before the House; but they are being prepared."

However, we have looked them over again, and I think it will be convenient that some more Transvaal Papers should be given, and in about a week they shall be laid upon the Table.

NAVAL ARTILLERY—THE 43-TON GUN.

MR. W. H. SMITH asked the Secretary to the Admiralty, How many rounds with full charges were fired from the 43-ton gun, now placed on board the *Conqueror* at Chatham, before she was accepted by the Admiralty?

MR. BRAND: As the right hon. Gentleman's Question refers to a subject which belongs to the Department of the War Office for which I am responsible, my hon. Friend the Secretary to the Admiralty has requested me to reply to it. The number of proof rounds laid down for 43-ton guns was one round battering charge, and five rounds with charges that would increase the pressure of the first charge 25 per cent. These rounds were fired from the 43-ton gun now on board the *Conqueror*, and besides these five additional rounds were fired with varying charges.

FIRES IN THEATRES—THE GAIETY THEATRE, MANCHESTER.

MR. MACFARLANE asked the Secretary of State for the Home Department, If his attention has been called to the destruction by fire of the Gaiety Theatre, Manchester; if it is a fact that—

> "The building consisted entirely of a woodwork frame covered with a roof of tarred canvas;"

and, if he can state by whom such a description of building was licensed as a place of public entertainment?

SIR WILLIAM HARCOURT, in reply, said, what the hon. Member stated in the Question was correct. The building had been duly licensed by the Justices as a music-hall, who satisfied themselves that the means of exit were sufficient. As regarded the control of these buildings, he was informed that the Corporation of Manchester had a Bill before Parliament last year in which there was a very good clause giving them power to call on the proprietors to secure the safety of this class of building. The Select Committee before whom the Bill went struck out that clause; and, therefore, the Corporation were not responsible for what had occurred.

SOUTHERN ISLANDS OF THE PACIFIC —ANNEXATIONS TO THE AUSTRALIAN COLONIES.

MR. JOSEPH COWEN asked the Under Secretary of State for the Colonies, If the Government has received any communication from Melbourne or Sydney respecting the proposed annexation of groups of islands in the Pacific to the Colonies of Victoria or New South Wales?

MR. EVELYN ASHLEY: Short telegrams have been received, not—

> "Proposing annexation of groups of islands in the Pacific to the Colonies of Victoria and New South Wales,"

but urging generally some sort of annexation or protectorate of certain groups of Islands.

SIR WILFRID LAWSON asked whether the Government had received any information to the effect that some of these Australian Colonies had lately been ordering gunboats from a Newcastle firm?

MR. EVELYN ASHLEY said, the Government had received no such information.

SIR MICHAEL HICKS-BEACH asked whether the telegrams would be laid on the Table?

MR. EVELYN ASHLEY said, that it would not be courteous to the Colonies concerned to lay these telegrams on the Table until an answer had been given to them.

POOR LAW (IRELAND)—OUTDOOR RELIEF.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that 410 applications for outdoor relief for nearly 2,000 souls were made on Monday at the Bunbeg Dispensary, in the Dunfanaghy Union, and were unattended to, owing to the non-attendance of the relieving officer and the departure of his substitute at an hour in the morning before the applications could be made; whether numbers of these applicants, some of whom had travelled long distances, were in a starving condition, and could obtain no relief, except through the diminishing aid of private charity; and, whether the Local Government Board will take any steps to compel the Dunfanaghy Board of Guardians to afford outdoor relief to the poor?

MR. TREVELYAN: As this Question only appeared on the Paper yesterday, there has not been time to obtain a written Report; but I have received a copy of a telegram sent to the Local Government Board by their Inspector, Dr. Woodhouse, who had been directed to make inquiry on the subject. From that telegram it appears that the relieving officer having been disabled by an accident, his son has been appointed to act as his substitute. He attended at Bunbeg on Monday at his father's usual hour—the telegram does not mention the hour—and waited until 12 o'clock in the day, up to which hour no applications for relief were received. He then left. Further particulars are expected by post. In the meantime, it does not seem likely that the facts are as grave as is indicated by the Question; as, if the circumstances and condition of the people were such as described, they would, no doubt, have attended at Bunbeg at the usual hour, or would have applied to the relieving officer at his house. But I prefer not passing judgment upon the matter until I get particulars.

MR. O'BRIEN said, the right hon. Gentleman had not answered whether it was not a fact that the Dunfanaghy Guardians had persistently disobeyed the instructions of the Local Government Board with reference to the giving of outdoor relief?

MR. TREVELYAN imagined he could hardly describe the Guardians as having deviated from the instructions of the Local Government Board. They had acted, according to their judgment, within their legal powers; and the Local Government Board could not interfere with them without altogether overstepping the principles of local responsibility.

MR. O'BRIEN: Is it not so that the Board have not, as a matter of fact, given any outdoor relief, although the Local Government Board Inspector reports that one-third of the people are without visible means of subsistence?

[No reply was given.]

ARMY—LIFE ASSURANCE FOR SOLDIERS.

SIR HERBERT MAXWELL asked the Secretary of State for War, Whether a scheme for the assurance of the lives of British soldiers was submitted to the War Office in February last by Captain Upton, 4th battalion Derbyshire Regiment; whether that scheme has been considered or approved of; and, whether he will inform the House as to the nature of the proposals, and the determination arrived at by the authorities in regard to them?

MR. O'DONNELL asked what necessity there was for insuring the lives of British soldiers, so long as the policy of the Liberal Government was only directed against feeble nationalities?

SIR ARTHUR HAYTER: The hon. and gallant Baronet the Member for Wigtonshire should, I think, have addressed this Question to me, as representing the finance branch of the War Office under the direction of my noble

Friend the Secretary of State for War. In reply, I have to say that a scheme of life assurance applicable to soldiers was submitted by Captain Upton to the War Office. It was duly considered; and it was not thought advisable to adopt the scheme. Speaking of it in general terms, as the hon. and gallant Baronet asks me the Question, the scheme was to give some Insurance Office, which was unnamed, a monopoly of the business to the prejudice of other Insurance Offices; and the Pay Sergeants and Sergeant Majors of the Army were to act as collectors and agents for it. It is considered at the War Office that if any scheme of assurance for soldiers should be adopted, it should be in connection with the national system of insurance which is preparing by my right hon. Friend the Postmaster General, and will be carried on under the auspices of the Post Office.

CUSTOMS AND INLAND REVENUE BILL—DUTY ON TRAMWAYS.

Mr. W. M. TORRENS asked Mr. Chancellor of the Exchequer, in relation to Clause 7 of the Customs and Inland Revenue Bill, which extends the Carriage Duty—

> "So as to embrace any vehicle drawn or propelled upon a road or tramway, or elsewhere than upon a railway, by steam or electricity, or any other mechanical power,"

If he will be so good as to explain what is the definition there implied of a tramway liable only to the Carriage Duty, as distinguished from a railway liable to the Passenger Duty?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): My hon. Friend speaks of the Customs and Inland Revenue Bill. The Bill became law some time ago, and while it was passing through the House I answered more than once a Question similar to the one he puts now. But it is not my function to interpret Acts of Parliament; and I can only say that the distinction between a tramway and a railway is one which has been recognized for purposes of taxation for many years, and that no difficulty on the subject has presented itself.

AGRICULTURAL HOLDINGS (ENGLAND) BILL—RATING ON TENANTS' IMPROVEMENTS.

Mr. SEVERNE asked the Chancellor of the Duchy of Lancaster, Whether, since the object of the Agricultural Holdings Bill is to encourage the employment of tenant capital on the land, the Government will introduce in Committee provisions to prevent the raising of the rates on improvements made by tenants for a reasonable time?

Mr. DODSON: It appears to me that the exemption or abatement, as suggested, would work unfairly to other ratepayers, whose rates would be unduly increased. Moreover, the special cost involved in such an arrangement would, in the vast majority of instances, be out of all proportion to the modicum of relief afforded to the tenant.

JAMAICA—COST OF THE COMMISSION OF INQUIRY.

Captain PRICE asked the Under Secretary of State for the Colonies, Whether a Vote in Supply will be taken for the payment of salaries and expenses of the Commission of Inquiry recently held upon the affairs of Jamaica?

Mr. EVELYN ASHLEY: The expenses of the Commission of Inquiry on the affairs of Jamaica will be charged to the Colonial funds up to the date of their leaving that Island; so there will be no Vote in Supply for the costs of this Jamaica inquiry.

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Mr. SHEIL asked the Financial Secretary to the Treasury, Whether it is proposed to grant a further sum of £500 per annum, in addition to the £500 per annum now granted to the manager of the Kitchen Department; and, if so, whether a full opportunity of discussing the grant will be afforded?

Mr. COURTNEY: The Kitchen and Refreshment Rooms Committee have made this recommendation; but it has not yet been officially brought before the Treasury. When this is done it will be our duty to present a Supplementary Estimate for the purpose.

POST OFFICE—OVERHEAD WIRES.

Mr. O'DONNELL asked the Postmaster General, If he can state what precautions are taken to protect the public against the fall of the enormous and increasing mass of metal used in telegraph and telephone wires stretched overhead the public thoroughfares?

MR. FAWCETT: In reply to the hon. Member, I may say that only a small proportion of the overhead tele-graph and telephone wires in London belong to the Post Office, and that the majority belong to private Companies. As I previously stated, in one of the leading thoroughfares in the City, out of 97 wires, only three belong to the Post Office. As regards the poles and wires of the Post Office, every care is taken, by frequent inspection, to see that they are in proper condition.

SOUTH AFRICA — THE TRANSVAAL CONVENTION—A SPECIAL COMMISSIONER.

SIR MICHAEL HICKS-BEACH asked the First Lord of the Treasury, Whether he is now able to state whether it is the intention of Her Majesty's Government to propose a Vote in Supply for the purpose described in his Notice of Motion, of "making adequate provision for the interests" of any South African Chief "who may have just claims on them;" whether he can inform the House of the course which Her Majesty's Government intend to pursue with respect to the Transvaal Convention and Basutoland; and, whether he can now fix a day for the Debate on South Africa?

MR. GLADSTONE: This Question embraces three different subjects, and I will take the second of them first—that is to say, whether I can inform the House of the course which Her Majesty's Government intend to pursue with respect to the Transvaal Convention and Basutoland. When I last addressed the House on this subject I stated that the views of the Government, so far as they were at present developed, had been embodied in a despatch which was on the eve of being sent to South Africa. Since that time the Earl of Derby has had the opportunity of communicating with a Member of the South African Government (Mr. Merriman), who is now in this country, and has taken the opportunity of expressing more fully his views in the contents of that despatch. The despatch will probably go by mail to-morrow. The Basutoland question, being in what I may call so active a state, will occupy the attention of the Lord High Commissioner, or the Acting High Commissioner at present, and will prevent him from undertaking duties at a greater distance connected with the present state of affairs in South Africa. Her Majesty's Government, therefore, with reference to the question of the Transvaal Convention, have determined to advise the sending out of a Special Commissioner to South Africa. The business of that Special Commissioner will be to consider our present relations with the Transvaal Government, and the terms and conditions of the Convention, now that they have been illustrated by the working of a certain time, and by the experience thus afforded. The functions of the Special Commissioner will, of necessity, bring within his view the state of Bechuanaland, which it will be his duty to consider in concert with the High Commissioner at Cape Town. The right hon. Baronet and the House will have observed in the newspapers certain telegraphic communications within the last few days to the effect that Mankoroane has signed a Petition, together with his Councillors, praying for annexation to the Cape of Good Hope. That, of course, opens up a very important question. We are not informed at present that any definite resolution has been taken by the Government of the Cape; but still we have certain preliminary information which leads us to believe—though I cannot say the proposition will be accepted by the Cape—that it is probable it will be entertained. These are matters of great importance with respect to the future. I trust that in the course of a few days I shall be able to state to the House who the Commissioner we propose to send out will be. Under these circumstances, I have no answer to give with regard to any Vote in Supply, or with reference to any possible demand that may have arisen under certain circumstances in South Africa; nor can I suggest or advise anything at the present time with regard to a debate on the subject; but, of course, I am aware of the engagement made by the Government, and I do not at all say that that engagement should not be fulfilled.

SIR MICHAEL HICKS-BEACH: Will the despatch which the right hon. Gentleman has mentioned be laid upon the Table; also the instructions to the Special Commissioner?

MR. GLADSTONE: The instructions to the Special Commissioner are not yet prepared; but, of course, they will be laid on the Table, and, I hope, on an early day. But I will take the opportunity of considering the matter with my Colleagues. With regard to the Basutoland despatch, I will also consider what shall be done. My own impression is that, considering that this is not a matter dependent on our own will exclusively, but a rather complex matter, which we have to conduct, in a certain sense, with the Government of the Cape, it is very doubtful whether that despatch should, in the first stage, be laid on the Table before it has been received and acted upon at the Cape.

SIR MICHAEL HICKS-BEACH: I will repeat my Question at a later date.

DOMINION OF CANADA—THE NEW GOVERNOR GENERAL.

MR. O'DONNELL asked the First Lord of the Treasury, If he took any steps to ascertain the opinion of the Canadian people or governments before nominating the Marquis of Lansdowne as Governor General of the Dominion?

MR. GLADSTONE: The hon. Gentleman is probably aware that Her Majesty's Government are, of necessity, engaged from time to time in the nomination of Governors of very important Colonies, and of Canada among the rest; and I do not ever recollect having seen it asked whether we had taken steps to ascertain the opinion of the Canadian people or Government with regard to these appointments, nor am I aware of the particular motive that has suggested that Question in the case of Lord Lansdowne. All I can say is that we never have taken, nor do we intend to take, any measure of that kind; but I believe that in this case, as in every other case, Her Majesty's Government, with the assistance which they possess, have ample means of ascertaining what are the general sentiments of the Colonies with regard to the sort of persons they wish to receive, and of insuring that they will be well received. I should think if a Gentleman happens to be possessed of station, high character, and great ability, these are requisites which go a long way towards insuring him the best possible reception, and which very few persons in this House would deny to be possessed in rather an eminent degree by Lord Lansdowne.

LITERATURE, SCIENCE, AND ART—THE ASHBURNHAM MSS.

MR. GIBSON asked the First Lord of the Treasury, Whether the Treasury has refused to purchase the Ashburnham MSS. at the price asked for by the owner, and approved by the Trustees of the British Museum; whether the refusal is final, or whether a further effort will be made to secure these valuable manuscripts for the Nation; and, if he could state what is the amount in dispute?

MR. CARBUTT asked the First Lord of the Treasury, If there is any truth in the statement in Monday's papers that, notwithstanding the acceptance by the Government of the honourable Member for Burnley's resolution in favour of economy, they have consented to expend £70,000 in the purchase of a portion of the Ashburnham Manuscripts?

MR. GLADSTONE: This question had not been treated as a Treasury question, but as one that demanded the consideration of the Government generally. With regard to the purchase of the Ashburnham Collection on the terms asked by the noble Lord, and recommended by the Trustees of the British Museum, the Government did not think they would be justified in entertaining the proposal for the purchase of the entire Collection. With respect to a purchase of a portion of the Collection, the negotiations are still going on, and I think hon. Members will agree that in that case it would be better for me not to enter into the matter at present. With regard to the Question of the hon. Member (Mr. Carbutt), I must ask him to suspend his judgment, as I do not wish to depart from the spirit of the answer I have just given.

LAW AND JUSTICE (IRELAND)—MR. JUSTICE LAWSON.

MR. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether his attention has been called to an article in the "Pall Mall Gazette" of the 18th of June, in which it is stated, with reference to the Corrupt Practices Bill, that—

> "There notoriously resides in the bosoms of some Irish Judges a very bitter hatred of Mr. Parnell and all his works. What is to prevent Mr. Justice Lawson and a Court composed of Judges of similar temper and leanings from finding that there has been undue influence, and thereby making Mr. Parnell incapable of being

elected to or sitting in the House of Commons for ten years;"

and, whether, in view of the great difficulties which beset the administration of justice in Ireland, and of the dangers with which judges and juries who do their duties with honesty and courage are surrounded, and of the terrible crimes which have been incited by similar attacks in Irish papers upon those who administer the public services in Ireland, Her Majesty's Government will take steps to punish the authors in the English Press of such grave imputations?

Mr. GLADSTONE: I have examined the Question of the hon. Member, and have considered the passage to which it refers. I do not know whether the hon. Gentleman imagines that the Government have power to notice the passage under the existing law, or whether they ought to alter the law to meet the case. We have no power under the existing law to notice the passage, and we do not see any occasion for proposing a change in the law. The character of the Judges of the land is, I think, generally best secured by public confidence, which alone can give dignity and satisfaction in their high office. I greatly doubt whether it is expedient that a man in an official position should undertake to be a critic of criticisms of this kind, and to have his criticisms criticized by others; but as Mr. Justice Lawson is named in this particular case, and as I have had the honour of his acquaintance, and co-operating with him in former years in important matters, I may say that, so far as I understand this passage, it is one of very considerable scope and extent. It amounts, I think, to an impeachment of Mr. Justice Lawson's judicial impartiality; and, therefore, I wish to bear testimony, as an individual—for I have no right to speak officially about it—that from long experience of Mr. Justice Lawson, I have always regarded him as a gentleman of great capacity and perfect honour and integrity, and I know that no temptation would induce him to deviate from the path of official duty.

Mr. ASHMEAD-BARTLETT: Might I ask the right hon. Gentleman whether, in view of the severe condemnation passed by the Government on similar statements in the Irish papers, he will not find it possible even to condemn statements of the kind from his place in Parliament when made in English newspapers?

Mr. GLADSTONE: I have nothing to add to what I have already said.

INDIA—THE PERMANENT UNDER SECRETARY OF STATE—MR. GODLEY.

Mr. ONSLOW asked the First Lord of the Treasury, Whether it is true that Mr. Godley has been appointed to the vacant post of permanent Under Secretary of State for India; and, if he can state what official experience this officer has had in Indian affairs?

Mr. J. K. CROSS: As this Question relates to the Indian Department of the Government, my right hon. Friend the Prime Minister has asked me to answer it. In consequence of the contemplated resignation of Sir Louis Mallet, whose health, after 42 years' continuous service, no longer allows him to devote himself to the very onerous duties of the Office which he so ably fills, it will become necessary to nominate his successor; and it is the intention of the Secretary of State for India to nominate Mr. Godley. In appointments of this kind the absence of special Indian experience has not hitherto been considered a disqualification.

Mr. O'DONNELL: Might I ask is this another case of promoting a Premier's Private Secretary?

Subsequently,

Lord GEORGE HAMILTON gave Notice that on Monday he would ask, in consequence of the intimation given to the House that Mr. Godley had been appointed to succeed Sir Louis Mallet at the Indian Office, How many years Mr. Godley had been a member of the English Civil Service; and, whether, as Permanent Under Secretary of State for India, he would not have under him upwards of 600 clerks, many amongst them men of great capacity and ability, who had served the State faithfully for a period of 30 or 40 years?

Colonel NOLAN begged to give Notice that, when the noble Lord asked that Question, he should also ask, What was the age of Mr. Godley and what was the age of the noble Lord; and whether the noble Lord had not precisely the same number of clerks under him in that Department four or five years ago?

LAND IMPROVEMENT AND ARTERIAL DRAINAGE (IRELAND) BILL.

COLONEL COLTHURST asked the Secretary to the Treasury, Whether the Government can promise any day for the discussion of the principles involved in the Bill which has been lately introduced to remove some of the obstables that impede the intentions of Parliament with respect to the development of the system of arterial drainage in Ireland; and, if such day cannot be granted, whether the Government will consent to withdraw the Bill now before the House, so as to enable a discussion to be taken upon the Motion which stands first for Tuesday next?

MR. COURTNEY: As the hon. and gallant Member knows, the Bill of the Government deals with the whole question of drainage and land improvement, and contains provisions for removing, in an immediate practical way, difficulties which are daily felt; it has been carefully prepared, and, although its progress is at present blocked, it would be inexpedient to withdraw what is a complete project of legislation, in order to facilitate the discussion of an abstract Resolution. The question can, of course, be reconsidered later on; but we do not despair of passing a Bill which we believe is wanted.

POST OFFICE—THE MUNICIPAL REFORM LEAGUE—FORGED TICKETS.

MR. FIRTH asked the Postmaster General, Whether his attention has been called to the fact that the Dead Letter Office had recently sent to the offices of the Municipal Reform League more than 750 letters, containing forged tickets for the Municipal Reform Meeting at St. James's Hall, and which had been addressed to the defunct Conservative Associations, Liverymen, and City Guilds, and persons connected with the City of London; and, whether he could give facilities for discovering the authors of this attempt to interfere with the free right of public meeting?

SIR TREVOR LAWRENCE asked whether the Postmaster General, at the same time, would inform the House as to the accuracy of the statement made by the hon. Gentleman the Member for Chelsea (Mr. Firth) on the platform at that meeting, that these letters were sent round by the Corporation of the City of London?

MR. FAWCETT: My attention was not directed to this subject until I received a letter from my hon. Friend. I can only say that it really seems to me that the Post Office has nothing whatever to do with the matter. Our duty is, when letters are sent to the Dead Letter Office, to try to return them to those by whom they have been sent, and it is not a part of our duty to find out if the letters are forged or not. In reply to the hon. Baronet, I can only say that I do not think it any part of my duty to inquire into the accuracy of statements made on public platforms.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

MR. GLADSTONE: I wish to say one word for the convenience of the House as to the course of Public Business. The hon. Member for Mid Lincolnshire (Mr. Chaplin) said he would put a Question on the subject on Thursday; but the Notice did not appear. I have been led to make a good deal of inquiry on the subject, and I am led to believe that there is a considerable amount of desire that we should proceed with the Agricultural Holdings (England) Bill before the Parliamentary Elections (Corrupt and Illegal Practices) Bill. [*Cries of* "Yes, yes!" *and* "No, no!"] The Government confidently reckon on proceeding with both these Bills. The Parliamentary Elections (Corrupt and Illegal Practices) Bill will be taken this evening, also to-morrow; and on Monday I may be able to say whether the Agricultural Holdings (England) Bill may not have precedence. The only thing inadmissible is our going backwards and forwards from one Bill to the other. I will endeavour, as far as I can, to ascertain what is the feeling of the House. Probably to-morrow, at 2 o'clock, we shall be able to judge whether on Monday we shall take the Agricultural Holdings (England) Bill and go through with it, or continue in the present course with the Parliamentary Elections (Corrupt and Illegal Practices) Bill. One of either course must be taken.

MR. H. H. FOWLER asked the First Lord of the Treasury, Whether, having regard to the present state of Public Business, and the supreme indifference which the House showed to Motions brought forward by private Members on Tuesday and Friday evenings, the time had not arrived when the Government should take those nights for their own Business?

MR. GLADSTONE: I appreciate the motive of the hon. Member; but I must remind him that on Tuesday last we had a very useful discussion. The Government would like to have a little further experience before entertaining the question.

MR. CHAPLIN reminded the right hon. Gentleman that he had succeeded in obtaining first place on Tuesday, July 10th, for a Motion on the importation of diseased cattle from abroad. Considering the importance of that question, he hoped there would be no appropriation of Tuesdays by the Government till the House had had an opportunity of considering it.

PARLIAMENT—THE STANDING COMMITTEES—PROCEDURE.

MR. JOSEPH COWEN said, he believed it was the case that when a Bill had been referred to a Select Committee, and the labours of that Committee were not completed at the end of the Session, it might resume its work next Session at the point where it had left off. He wished to ask whether the same rule applied to Grand Committees; and whether they could take up a Bill next Session at the stage where it was left in this Session?

MR. SPEAKER: As the House is aware, the act of Prorogation of Parliament terminates the existence of Bills on the Order Book of the House; and Standing Committees will have existence only to the end of the present Session of Parliament, unless otherwise ordered by the House.

LABOURERS (IRELAND) BILL.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, What course the Government intends to pursue in regard to the Bill of the hon. Member for Galway (Mr. T. P. O'Connor) in regard to Irish Labourers?

MR. TREVELYAN, in reply, said, he was glad to say that he thought the promise he gave off-hand, without knowing the circumstances, had been kept as well as promises could be expected to be kept. That day the Irish Office had practically agreed with the Treasury as to the Amendments, and had obtained their consent. He hoped to have them in printed form by to-morrow, and that they would be in the hands of Members on Saturday.

MR. SEXTON said, the hon. Member for Galway would put down the Bill for Monday.

ORDERS OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

(*Mr. Attorney General, Sir William Harcourt,*
Mr. Chamberlain, Sir Charles Dilke,
Mr. Solicitor General.)

COMMITTEE. [*Progress 12th June.*]

[THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 1 (What is treating).

COLONEL NOLAN, in rising to move, in page 1, line 20, to leave out from "And every," to "treating," said, he had no wish to detain the Committee long on this point; all he desired to show was what would be the consequences if the Bill were passed in its present form. Clause 1 enacted that treating was a corrupt practice; Clause 2 enacted that corrupt practices were to be punished; and Clause 36 enacted that anyone guilty of a corrupt practice was liable to six months' imprisonment. If the Bill were passed as it now stood, any elector who took a glass of beer, or anything else on the day of election, would be subject to six months' imprisonment. If he could receive an assurance that Clause 36 would be so far modified that treating would not render an elector liable to more than a week's imprisonment, he would be inclined to withdraw his opposition. He really considered that six months' imprisonment was too severe a punishment for the mere acceptance of a glass of beer on the day of election, and he hoped the Committee would take the same view.

Amendment proposed in page 1, line 20, to leave out from, "And every," to "treating."—*Colonel Nolan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, they were not now discussing what punishment should follow upon a particular offence; but whether treating was, or was not, to be considered a corrupt practice. It was admitted on all hands that treating had, of late years, been indulged in very largely; and, in his opinion, it would be very undesirable if the Committee were to say that they would not allow treating to be considered a corrupt practice. If it were the wish of the Committee he would be disposed to modify the sub-section in the sense proposed by the hon. Member for Wexford (Mr. Healy)—namely, by excluding non-electors from the operation of the clause.

MR. WARTON said, he put down an Amendment upon this point days before the hon. Member for Wexford (Mr. Healy). He was entitled to a little consideration in the matter; and, therefore, when the proper time arrived to put the Question that "and other" stand part of the clause, he should move his Amendment. His Amendment, too, would make better sense.

MR. SEXTON said, he thought the proposition just made by the Attorney General was a very reasonable one. It would have been severe in the extreme if persons, not being electors, were to be rendered liable to punishment under the Act.

MR. RYLANDS said, he considered the Attorney General had very wisely determined to exclude non-electors from the operation of the provision. They ought to go upon the lines that if a man did a corrupt act tending to interfere with the proper conduct of an election he should not be screened from punishment, but that, on the contrary, he should be duly punished. A provision, however, which fastened upon a man the responsibility of somebody else's act must be regarded with the greatest possible suspicion. What the Committee ought to do was to make the Bill very severe against the actual culprit; but not to make a man who might be innocent liable to punishment for what somebody else did.

MR. E. STANHOPE pointed out that if the Amendment were accepted, either in the form proposed by the hon. Member for Wexford (Mr. Healy), or in the form suggested by the hon. and learned Member for Bridport (Mr. Warton), it would be open for a candidate to treat the wives of electors to any extent he chose.

THE ATTORNEY GENERAL (Sir HENRY JAMES) asked if the Committee would like the wives to be punished?

MR. ONSLOW said, there was a good deal of force in what his hon. Friend (Mr. Stanhope) had just said. It would be a very common thing for bribery in future to be done through the wife. There was an idea in the minds of certain Members of the Committee that people could only bribe with something to eat or drink. The wives and daughters of electors wanted a new bonnet or a new dress; and he believed that had been one of the common forms of bribery in some places. If the words were struck out he had no hesitation in saying that bribery would be done through the wife.

THE ATTORNEY GENERAL (Sir HENRY JAMES): No; not bribery.

MR. ONSLOW said, it would, at any rate, amount to treating. The elector would know it was going on, and therefore treating would take place through the wife. He believed it was a common thing for a bottle of wine to be got from the grocer's shop and given to the wife. The elector was not supposed to know anything about it; but he did know all. If the words in question were struck out there would be an enormous amount of indirect treating, and it would be difficult to prove that the elector knew anything about it. If anyone was to be punished it ought to be both the man and the woman. If the wife or the daughter accepted a new bonnet or dress for a corrupt purpose she ought to be punished, just as much as the man who accepted a bribe.

SIR CHARLES W. DILKE pointed out that they were dealing with treating and not with bribery.

MR. LEWIS said, he was, unfortunately, not able to be present on Tuesday last; and, therefore, he wished now to have some explanation from the Government as to the meaning of the word "entertainment."

THE ATTORNEY GENERAL (Sir HENRY JAMES) rose to Order. The word "entertainment" was passed last Tuesday.

MR. LEWIS said, he was speaking upon the Amendment of the hon. and gallant Gentleman (Colonel Nolan), which included the word "entertainment." Surely the Attorney General did not wish to stop discussion. The Amendment of the hon. and gallant Gentleman was to omit the words—

> "And every person, whether an elector or not, who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of treating."

Under such circumstances the Attorney General said he was not entitled to refer to the word "entertainment." They would get to the end of the clause all the sooner if the Attorney General did not attempt to shut him up. He intended to pay some attention to the Bill; and though the Attorney General objected, he contended, in the presence of the Committee, that for the sake of justice it was absolutely necessary they should understand what the meaning of the word "entertainment" was. He would give the Committee an illustration of what his objection to the word was founded upon. A gentleman, not now a Member of the House, was a great traveller; he travelled nearly all over the world during the time he was a Member of the House; and when he came back he was in the habit of showing to his constituents some very handsome photographs of the chief places of interest he had visited—in other words, he gave his constituents an entertainment in the shape of an exhibition of the photographs he had collected. Now, he (Mr. Lewis) wanted to know whether such an entertainment was a corrupt practice? It certainly would be if there was any meaning at all in the word "entertainment." He hoped the hon. and gallant Gentleman would not withdraw his Amendment. He (Mr. Lewis) objected very strongly to having such dubious words introduced into this penal Act of Parliament without some explanation being offered by the Government. The Attorney General had not properly explained the meaning of the word "entertainment." It seemed to him, too, to be a matter of the gravest possible importance that before they parted with the clause, they should endeavour to understand what was meant by the Government in attempting to cast so great a punishment upon anyone guilty of treating; and, inasmuch as the hon. and gallant Gentleman had not yet withdrawn his Amendment, he (Mr. Lewis) submitted that he was entitled to refer to one of the words which formed the subject-matter of the Amendment.

The ATTORNEY GENERAL (Sir Henry James) protested against the Committee being asked to discuss the word "entertainment" a second time. The question was raised on line 14 in the absence of the hon. Member. They discussed it at length, and they determined to retain the word in the clause. He asked the Committee if it was right that, in consequence of the absence of one Member on Tuesday last, they should now repeat the whole of the discussion which took place on that day, and that he (the Attorney General) should be called upon to give the explanation of the word he gave on that occasion? The word "entertainment" occurred in an Act passed in the time of William III., and in the 6 & 7 *Vict.* and 18 *Vict.* Having once convinced the Committee that the word must remain, he respectfully asked them to relieve him from the necessity of a second explanation.

Mr. WARTON said, it was perfectly true, as the Attorney General said, that upon an Amendment of his (Mr. Warton's) they did on Tuesday enter upon the question of "entertainment." With all submission to the Attorney General, however, he would again point out that the word "entertainment" might be regarded in a very different sense by the person entertaining and by the person entertained.

Baron DE FERRIERES was of opinion that the very stringency of the Bill would defeat its object. A person who accepted a glass of beer or a meal would necessarily be held guilty under the Act of a misdemeanour. Under the existing law, anyone who treated was liable to a penalty of £50; by this Act, treating was made a misdemeanour, for the commission of which a man would be liable to 12 months' imprisonment and £200 fine. It would rest with the Judges who had to try any Petitions arising under the Act to determine what constituted "treating." "Treating" was an illegal practice now; yet they knew very well it had been the custom of the Judges only to punish when treating was carried on to such an extent as really to demoralize a constituency, or carried on for the purpose of obtaining votes. It was a great mistake to inflict such severe penalties as to ensure their not being enforced.

Sir HENRY HOLLAND said, the hon. Member (Mr. Lewis) was again absent from the Committee; and it was, therefore, possible they would have to discuss "entertainment" even a third time upon his return. Had the hon. Gentleman been in his place, he (Sir Henry Holland) wanted to point out to him that there was no danger if the friend of his gave his entertainment honestly. Hon. Members overlooked the word "corruptly," and the words "for the purpose of corruptly influencing." To be discussing again what "entertainment" was, without any reference to the question of the circumstances in which the entertainment was given, was really a waste of time.

Mr. HICKS said, that, as there appeared to be great doubt as to the meaning of the word "entertainment," he would suggest to the Attorney General that all the difficulty might be removed by the introduction of some words which would refer the readers of the Act to the Statute of William III. in which the word occurred. It would then be seen that the word was intended to have the same meaning in this Act as it had in former Statutes.

Mr. F. W. BUXTON said, he was glad the Attorney General left it to the Committee to decide whether the words "whether an elector or not" should be omitted or not. The question whether wives and children who accepted a bribe, or were treated "corruptly," should be punished, might well be also left to the decision of the Committee. The clause had been much modified since it was brought in last year by the insertion of "corruptly" and other words. He hoped the Committee would not assent to the proposed omission.

Mr. CHAPLIN said, he had not overlooked the word "corruptly," as the hon. Member for Midhurst (Sir Henry Holland) suggested some Members had. As the clause now stood, it was possible that because a man had come to his house, Heaven only knew how long before or after his election, he might be unseated.

Mr. O'KELLY objected very strongly to the clause. The time was so indefinite that it would be simply impossible for any man to eat or drink on the day of election in the presence of an elector without being brought within the operation of the clause. How was a man to guard himself from being charged at some time or other with having treated corruptly, if he should at any period invite one of the electors to dine with him or to drink with him? Whenever a candidate so invited a friend it must either be "before, during, or after an election." There was nothing in the world to prevent any act of hospitality being made to tell against a man.

Mr. R. H. PAGET said, he thought the progress of the Bill would be greatly facilitated if the Government would define in the Bill the word "corruptly." If the word remained as it was, what would be the result? Why, there were numerous attempts to prove that the giving of some refreshment—in however innocent and harmless a way it might have been given—was virtually a corrupt giving; and it would be when a certain number of Petitions had been tried that the Judges would give their decision as to what corrupt giving was, and what it was not. If the Government would only state what they intended by "corruptly" the whole matter would assume a very different complexion. The clause, as now drawn, was of enormous width; there was no limit as to the person or date; indeed, the only limit to the clause was the word "corruptly," the meaning of which was not thoroughly understood. As matters at present stood, corrupt giving would be entirely a matter for future decision.

Sir HARDINGE GIFFARD expressed the hope that the Attorney General would not be disposed to meet the wishes of the hon. Gentleman (Mr. Paget). It was absolutely impossible to define accurately the word "corruptly." If they attempted to define the word it would certainly happen that innocent persons would suffer, and persons who ought to be punished would escape. If his hon. Friend (Mr. Paget) would only try his own hand at a definition of the word he would soon find the difficulty which surrounded him. While he (Sir Hardinge Giffard) was upon his feet, he could not help expressing his regret that the Attorney General had yielded to the Amendment which had been proposed. He was sorry, for this reason—that treating in its very nature was a corrupt act; and he thought that the treater and the treated were both parties to a corrupt practice, and ought to be held so by the Judge. It was a serious thing to alter the Bill so as to enable the Judge to come to the conclusion that the treater was corrupt, and that the treated was not. A weak Judge might very possibly say—"Well, so far as the treated is concerned, I cannot say they really are corrupt; but, so far as the treater is concerned, I cannot have any doubt." He did not think a Judge ought to have such liberty allowed him.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he only wished to meet the views of the Committee in the matter. What the hon. and learned Gentleman had just said would be a lesson to him never to give way in future upon any matter upon which he had formed a decided opinion.

MR. BIGGAR said, if he wished to fight an election successfully, he would, if possible, get all his active supporters to be teetotallers from the commencement to the end of the election. He did not think anything could be more disadvantageous to a candidate than that his supporters should get drunk.

Question put, and *agreed to.*

COLONEL NOLAN asked in what way the Chairman intended to put the Question, because he would like to know in what way he could move an Amendment, so as to test the feeling of the Committee as to whether a non-elector who received refreshment was to be held guilty of an offence?

THE CHAIRMAN: The Amendment next in order is that of the hon. and learned Member for Bridport (Mr. Warton).

MR. WARTON moved to leave out, in page 1, line 20, the words "person, whether an." The effect of that would be to exclude from the operation of the clause persons who were not electors.

Amendment proposed, in page 1, line 20, to leave out the words "person, whether an."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. ONSLOW said, he hoped the Attorney General would vouchsafe some remarks upon the Amendment. It was all very well to scoff at the idea of wives and daughters being treated; but it appeared to him (Mr. Onslow) that the clause, as it stood, would lead to no end of corruption.

Question put.

The Committee *divided:*—Ayes 119; Noes 182: Majority 63.—(Div. List, No. 135.)

Amendment proposed, in page 1, line 20, to leave out the words "or not."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. LEA said, he was aware that this was a consequential Amendment; but he regretted that the Committee had accepted the last Amendment, and he hoped the Government would change their minds and adhere to the wording of their own Bill.

Amendment *agreed to.*

COLONEL NOLAN said, he had an Amendment to move, upon which he need not advance any arguments. It was to leave out "corruptly accepts or."

MR. MONK rose to Order, and said, this Amendment would make nonsense of the clause, unless the hon. and gallant Member was prepared to insert some words in their place.

COLONEL NOLAN said, he had always understood that a Member proposing an Amendment was not bound to consider its effect on the sense of the clause, because it was easy for someone else to supply words to make sense. He had known hundreds of cases in which words had been struck out with the result of making nonsense of the clause unless someone had substituted other words.

THE CHAIRMAN: I must ask the hon. and gallant Member whether he is prepared to supply words in the clause in place of these?

COLONEL NOLAN said, he was prepared to do so; but it was quite new to have to do so at once upon moving an Amendment. He could easily put in words which would do no harm, though he did not know that they would do any good.

THE CHAIRMAN: It seems to me a needless taking up of the time of the Committee by moving an Amendment of this kind, which would only make nonsense of the clause.

COLONEL NOLAN asked how he could put an Amendment upon this point? He had proposed his Amendment, as he understood, according to the usual practice. Of course, he bowed to the Chairman's decision; but he had known the Chairman suggest another form in such a case in which a division could be taken. He wished to do so now, if the

Chairman would show him the way, though he believed that his way was really the simplest and best mode, and most in consonance with the traditions of the House. He would take a division upon his Amendment to leave out "corruptly accepts or."

THE CHAIRMAN: The Amendment is not out of Order.

Amendment proposed, in page 1, line 20, to leave out the words "corruptly accepts or."—(*Colonel Nolan.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 248: Noes 17: Majority 231. — (Div. List, No. 136.)

COLONEL NOLAN proposed next to omit the word "treating," and substitute the words "illegal practice." Treating, he said, would, according to the clause, be subject in future to 12 months' imprisonment; but if his Amendment were accepted the offence, "illegal practice," would carry a much less heavy punishment. How could a person who was treated be guilty of treating? As it stood, the provision was not only very severe, but was contrary to common sense or English. The words "illegal practice" were used in several other parts of the Bill.

Amendment proposed, in page 1, line 22, to leave out the word "treating," in order to insert the words "illegal practice."—(*Colonel Nolan.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

MR. T. C. THOMPSON said, that, as he understood, at the present moment no treating whatever was allowed, either corruptly or incorruptly. If treating was henceforth to be permitted, provided only that no corrupt motive could be proved, it might become very difficult to draw the line fairly, and the door might be open for all the evils of former times, and an unwise discretion be reposed in the Judges. The sound principle was, during an election, to stop all treating, and to impose punishment in proportion to the character and enormity of the offence.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he should prefer to retain the word proposed to be left out, because it would be rather absurd to make the same offence in one part of the Bill a corrupt practice, and not in another part. He hoped the hon. and gallant Member would be satisfied to leave the clause as it was.

MR. H. B. SAMUELSON said, he hoped that, in the interests of the Bill itself, the Amendment would be accepted, for he thought it was quite certain that public opinion would not submit for a moment to a man being imprisoned merely for the new offence of having accepted an offer of treating of some kind from a candidate; and that, if the clause was passed as it stood, it would be simply a dead letter. If, however, the Amendment were accepted, there would be some chance of men being punished; and he was convinced that smaller punishments would be more deterrent than heavy punishments in preventing such minor offences as the one under discussion, because convictions would more easily be obtained than if the punishment imposed was so severe as to shock the sense of fairness of jurymen.

MR. LEWIS said, he thought the object of the hon. and gallant Member would be better carried out by opposing the clause, which he was prepared to do. It was impossible to look at this clause apart from the punishment which the Bill proposed to inflict, as he should endeavour to point out. He did not think the Committee had any appreciation of the great difficulties created by this clause and others in regard to treating.

Question put.

The Committee *divided*:—Ayes 174; Noes 18: Majority 156.—(Div. List, No. 137.)

COLONEL NOLAN said, he believed that his Amendment came next—namely, in line 22, to leave out the words—"And the vote of such person, if an elector, shall be void."

MR. WARTON rose to Order. He had an Amendment upon the Paper which, if this Amendment were agreed to, he would be prevented from moving. It was a consequential Amendment to omit the words—"And the vote of such."

Amendment proposed, in page 1, line 22, to leave out the words "and the vote of such."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. WARTON said, he believed the Attorney General intended to accept the Amendment, and therefore it was not necessary to say anything to explain its meaning.

THE ATTORNEY GENERAL (Sir HENRY JAMES) assented to the Amendment, but thought the proper time for discussing the question would be when they reached Clause 29 of the Bill.

SIR HARDINGE GIFFARD would not oppose, as it was a mere matter of form.

Amendment *agreed to.*

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he proposed now to omit all the rest of the words to the end of the sub-section.

Amendment proposed, in page 1, line 22, to leave out the words "If an elector, shall be void."—(*Mr. Attorney General.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Words *struck out.*

MR. WARTON said, the Amendment he now proposed to move was one which provided some kind of limit. He moved the insertion, at the end of the clause, of the words—

"Provided always, That such meat, drink entertainment, or provisions shall exceed in value the sum of one shilling."

He thought that, on the principle *de minimis non curat lex,* they should not legislate with regard to what a high authority had called "trivial expenditure," and that the giving to a voter of a small quantity of meat or bread not exceeding in value 1*s.*, should not subject persons to severe pains and penalties. He hoped that the hon. and learned Gentleman would accept the Amendment. The hon. and learned Gentleman had very kindly accepted other Amendments, and he hoped the hon. and learned Gentleman would continue the same conciliatory course. He understood that the regular Birmingham breakfast provided for the electors of the borough cost 1*s.* 6*d.* a-head. He did not wish to be so corrupt as they were in Birmingham; but he thought there could be no harm in providing refreshments which should not cost more than 1*s.* He knew the price of beer, and they could get tolerable beer for 8*d.* or 10*d.* a pot.

MR. ONSLOW: And for half that price.

MR. WARTON said, he saw no reason why a drink of beer and a crust of bread, which cost less than 1*s.*, should be regarded as a corrupt expenditure. He hoped the Committee would not deem it desirable to increase the expenditure of Election Petitions by trying every case in which a man had received less than 1*s.* worth of refreshment.

Amendment proposed,

In line 1, page 23, at end, to add "Provided always, That such meat, drink, entertainment or provision shall exceed in value the sum of one shilling."—(*Mr. Warton.*)

Question proposed, "That those words be there added."

SIR CHARLES W. DILKE said, he could not accept the Amendment, which would simply have the effect of legalizing an improper expenditure for drink and treating, providing that the treating did not exceed the value of 1*s.* He could not think the Committee would feel inclined to accept such an Amendment.

SIR R. ASSHETON CROSS said, he really could not support the Amendment of the hon. and learned Member. He wished, however, to impress upon the Committee that they had serious work on hand, and that the sooner they set about it the better, and come to the consideration of important Amendments.

MR. LEWIS said, he always paid great attention to the recommendations which came from the Front Benches; but so long as the Attorney General remained obdurate in regard to the main lines of the Bill it would be necessary to discuss every part of it in detail. The essence of the measure was how it would deal with the question of treating, and whether it would bring about any serious and grave alteration of the law. His own opinion was that every line of the Bill was important, and ought to be watched at every turn in the interests of every class of the community, and especially in the interests of unfortunate candidates who were not lawyers. All he had to say for himself was that he should spare no time or trouble in order to secure that every word and letter in this Bill should not be passed into law without being thoroughly understood.

THE CHAIRMAN: I am sorry to interrupt the hon. Member; but his remarks apply to the Bill, and not to the Amendment.

MR. DAWSON said, that if the Attorney General were induced to forget the severity of the provisions of the Bill, the measure itself would be of very little use in Ireland. He hoped that, so far as Ireland was concerned, the clauses relating to treating would not be dealt with as a trivial matter. Unless some indication to that effect were given, it would be regarded by the authorities in Ireland as a very grave matter; and, therefore, he thought there ought to be a clear expression of opinion from the Treasury Bench.

SIR HARDINGE GIFFARD said, he was not in the habit of construing an Act of Parliament by what was said by the Ministers of the Crown. And he was afraid the hon. Gentleman (Mr. Dawson) had misunderstood what the Attorney General had said. No Judge would construe an Act of Parliament in the way he had suggested. He did not think it was worth while to spend any time in gravely discussing whether a person was to indulge in corrupt practices provided such practices did not entail an expenditure of more than 1*s*.

MR. MARUM wished to ask what was to be the limit? The Amendment of the hon. and learned Member for Bridport (Mr. Warton) permitted treating where it did not exceed the value of 1*s*.; but if there were a large number of persons to be supplied with refreshments the sum might amount to £50 or more, and it might raise a serious question which would enable persons to wriggle out of the Bill. He took it that the Bill was intended to put down corruption, and if it was not intended to do that, the Government might as well drop the Bill at once. He did not think there could be any doubt as to the course which should be pursued in reference to the Amendment; but he would ask the hon. and learned Member for Bridport to state what was the nature of the interpretation he was inclined to put upon it —not only the logical, but the moral interpretation? He thought that some definite line ought to be laid down.

MR. WARTON said, he was quite ready to explain, at the invitation of the hon. Member, what his interpretation was. What he meant was that every person—meaning every elector—might be supplied with 1*s*. worth of refreshment. He thought there ought to be a limit of some sort, and he did not think that a small expenditure of that kind would have any moral effect upon the election.

MR. BIGGAR said, he did not know whether the hon. and learned Gentleman intended to divide upon the Amendment; but whether the amount was 1*s*. or £1,000—and if the constituency was a very large one, it might be brought up to that sum—it would be a very serious thing to legalize treating. He agreed with the hon. Gentleman the Member for Carlow (Mr. Dawson) that it was very desirable the Judges should know what in the view of the Ministers in charge of the Bill the law was. He recollected that when the Land Act was under discussion, the present Lord Chancellor gave an explanation of the meaning of a certain part of it which related to improvements; but, nevertheless, the decision of the Land Court in Ireland had not been governed at all by the opinion of the Lord Chancellor as to what was in his mind at the time the Bill passed into law. The view of the Judges was governed by what was contained in the Act itself.

MR. WARTON said, he would not press the Amendment.

Amendment, by leave, *withdrawn*.

SIR TREVOR LAWRENCE moved to add the following words at the end of the clause:—

"Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly subscribes to, or otherwise pecuniarily assists, any society, club, or other association, whether public or private, and whatever the object of the said society, club, or other association may be, for the purpose of corruptly influencing any Member or Members thereof or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted, or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of corrupt practice."

The hon. Baronet said, he thought the Committee and his hon. and learned Friend in charge of the Bill would be of opinion that the question raised by the Amendment was one which deserved to be seriously considered. It appeared to him—although he knew, from what his hon. and learned Friend had said, how earnest his desire was to produce a measure which should radically and completely deal with corrupt practices—that, in a great measure, the Bill let out the large fish and only kept in the small. He would take, as an example, the question of treating. He had formerly taken great interest in the game of cricket, and he had the honour of being President of a Cricket Club in the county he represented (Mid Surrey), and of a club near where he lived. When these two clubs were playing a match, he might be debarred from giving them luncheon; but, at the same time, there was nothing to prevent him from putting his hand deeper into his pocket and providing them with a cricket field. It was perfectly well known that many people gave money in a variety of ways without a corrupt intention; but it was also well known that the money would not be given if the donors were not connected with the constituency. For instance, the hon. and learned Member for Christchurch (Mr. Horace Davey) would probably have had no corrupt intention when he put up a Clock on Bournmouth Pier, and another hon. Member might have had no corrupt intention in providing a clock with musical chimes at Brighton; but would any hon. Member say that in either of these cases the expenditure would have been incurred if the hon. Members in question had not been connected with those constituencies? The money was given for objects which, no doubt, the hon. Members sympathized with; but it was not given in the neighbourhood in which they lived, but in that which they represented. He did not mean to say that it was given for objects that were in any degree blameworthy; but in regard to the way in which donations might exercise very corrupt influences, he would read to the Committee some extracts from a letter he had received during the last General Election. It was from a Nonconformist minister of his constituency, who was anxious to secure a subscription to his chapel. The writer said—

"Among the people worshipping with us are Churchmen, Congregationalists, and Wesleyans. Some of them profess Conservative principles, and will vote accordingly. But by far the largest portion of them reason in this way—'We don't take any interest in politics. It seems to us that there is not much difference between Conservatives and Liberals. But we do take a deep interest in our place of worship, and we are anxious to get it out of debt—so that our consciences may not trouble us when we worship God, at the remembrance that we worship Him in a house that is burdened with debt. Those who help us most in our struggle to meet our liabilities are our best friends, and will get our votes, be they Liberal or Conservative.'"

The letter then went on to say—

"It depends entirely upon you and Sir Henry" —that was Sir Henry Peek, his Colleague— "upon which side our influence goes together with our 200 votes. As the matter stands at present, you and Sir Henry contribute about a fifth of what the Liberals contribute towards our debt extinction fund; I have not yet told our people what your contributions are, nor what the other candidates have contributed. Nor have I written to them as I have written to you. I simply sent to all the candidates circulars asking for contributions, and have to lay before our Committee the results next Wednesday, when our friends will decide on which side they will cast their influence. And, of course, unless you and Sir Henry largely increase your contributions it will be against you. But you will have yourselves to blame."

[*Cries of* "Name!"] He was unable to give the name, because the letter was marked "private and confidential." In regard to charitable and religious institutions, hon. Members would sympathize with most of them, and would not think that in giving money to them they were guilty of any corrupt practice; but, at the same time, it was impossible to avoid feeling that these contributions were made, to a certain extent, for a corrupt object. He would appeal to the experience of any hon. Member, who had gone through a contested election, whether any contribution was made to institutions of this nature without laying the person who contributed open to the charge of being influenced by corrupt motives? He should be sorry that hon. Members should be restricted by the Bill, or by any Amendment he proposed, from contributing towards objects in which they sympathized. Among his own constituents the Sunday school children had an annual holiday treat, in many cases the only holiday they had in the year, and he should be sorry to be prevented from contributing towards the cost. He did the same things at home where he lived as he did in his own constituency, and he hoped he would not be charged with a corrupt motive. The subject, however, which he brought before the Committee was one for the consideration of the Attorney General; and if the hon. and learned Gentleman desired to make the Bill a complete measure it certainly ought to receive full attention.

Amendment proposed,

In page 1, at end, to add—"Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly subscribes to, or otherwise pecuniarily assists, any society, club, or other association, whether public or private, and whatever the object of the said society, club, or other association may be, for the purpose of corruptly influencing any Member or Members thereof or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted, or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of a corrupt practice."—(*Sir Trevor Lawrence.*)

Question proposed, "That those words be there added."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could assure the hon. Baronet that he would give the Amendment every consideration, because the object of the Bill was to make the House accessible to those who were not necessarily possessed of great wealth. He knew that wealth might have its influence during a contested election; and, therefore, everything that could be done to prevent the influence of that wealth by indirect means would be a valuable contribution to the Bill. He might say that as soon as he had charge of the Bill he received many communications directed to these very points, stating that something ought to be done to prevent lavish expenditure at elections. The Amendment, however, was not placed upon the Paper until that morning, and he had been prevented, by his time having been otherwise occupied, from studying it. He was certainly much struck by the suggestion of the hon. Baronet; but he would say at once that he should like to have a further opportunity of judging and giving the suggestion a fuller consideration, if possible. He would, therefore, ask the hon. Baronet not to propose the Amendment as an addition to the present clause, but to bring it up as a new clause. He thanked the hon. Baronet for having put the Amendment upon Paper, and could assure him that he would consider it in a favourable spirit; but he could not give any further promise.

MR. ONSLOW said, he was glad that the hon. and learned Attorney General was inclined to consider the proposition of the hon. Baronet in a favourable spirit, and quite agreed with the hon. Member that it would be necessary to exercise great care in framing a clause of this kind. There were certain gentlemen who went into a locality for the sole purpose of getting a seat, and who, in order to show the deep interest they took in the locality, spent their money lavishly. There were other men who naturally took a deep interest in the locality they represented. He would take his own case and that of the noble Lord who represented Calne (Lord Edmond Fitzmaurice). As regarded his own case, he should be very sorry to be precluded from subscribing, perhaps somewhat liberally, to charitable objects connected with Guildford, in order to show that the interest of his family in the borough which he represented had not been diminished; and he had no doubt that the Landsdowne family took the same interest in Calne.

MR. E. STANHOPE said, he did not agree with the principle of the clause. It raised a very grave question, which required very serious consideration. He agreed with the Attorney General in his desire to check lavish expenditure; but, at the same time, he thought that perfectly legitimate expenditure ought to be allowed. He had full sympathy in the object of his hon. Friend (Sir Trevor Lawrence); but he thought it was of great importance that the clause should be postponed, so as to give time for full consideration.

MR. JOSEPH COWEN said, he quite agreed with the hon. Baronet; but he thought the matter had been met by the Attorney General fairly and reasonably. He had no doubt that many persons, when they became candidates for a particular constituency, were subjected to a species of persecution in the shape of levying black mail for objects either religions, charitable, or political. He thought it was reasonable that a candidate should know what he might do and what he might not do. He knew an hon. Member who represented an agricultural constituency who subscribed to 23 Cricket Clubs, 15

Chapels, 17 or 18 different Churches, and School Associations, and who had altogether contributed to 150 different institutions in the course of six or eight months. That hon. Member in question stated publicly that he was quite willing to continue his contributions so long as they were for institutions connected with his own county; but he found that demands were constantly being made upon him to subscribe to institutions altogether outside his own county, and that, he thought, was somewhat too much. He believed the Amendment to be a very fair one, and he hoped it would be accepted later on.

MR. CAVENDISH BENTINCK said, he thought the Attorney General was very much mistaken if he believed that the effect of the Bill would be to decrease the expenditure upon elections. He (Mr. Cavendish Bentinck), on the contrary, thought that it would increase it very much. What was put into the right hand pocket of the candidate he would have to pay out of the left. There was a large class of electors who would not vote for anybody at all unless they received certain inducements. Take the borough which the hon. and learned Gentleman himself represented (Taunton). He (Mr. Cavendish Bentinck) represented that borough for six years, and he knew something about the action taken in it. He had never spent anything at an election from corrupt motives; but at election times there was always plenty of money spent in Taunton, and there was no place which was so expensive in the matter of charities. He knew it was a saying of the late Colonel Sibthorpe that he never spent money in bribery; but who was to deny his right to expend money in Christian charity? They knew what had been done for hospitals and for charitable works by the hon. and learned Member for Christchurch (Mr. Horace Davey). Would anyone say that if it had not been for that expenditure the hon. and learned Member would have been returned? He (Mr. Cavendish Bentinck) thought not. Then, again, in regard to the Members for Chelsea. He happened to know something of the four Radical Clubs in Chelsea. He frequently attended their meetings, and knew what went on there, and they were most liberally supported by the present Members for the borough. He was very glad that his hon. Friend the Member for Mid Surrey (Sir Trevor Lawrence) had brought the question forward. It was a matter that ought to be discussed, not only in regard to Clubs, but also in connection with particular Trade Associations, from whose action he was a sufferer to some extent; and, therefore, he thought they ought not to escape the attention of the Attorney General. He hoped that his hon. Friend would propose his Amendment while the clauses in the Bill were under discussion, and would not let himself be shunted over until they reached the end of the Bill. If his hon. Friend fell into that trap he was quite sure he would find himself in the wrong box at the end. He trusted that his hon. Friend would exercise his ingenuity and find some place where the Amendment could be discussed, instead of bringing it up as a new clause.

SIR CHARLES W. DILKE said, the right hon. and learned Gentleman had made a distinct charge against the Members for Chelsea.

MR. CAVENDISH BENTINCK said, he had made no charge at all.

SIR CHARLES W. DILKE said, that, at any rate, he did not recognize it as in any way affecting himself, and he entirely repudiated it.

MR. LEWIS said, he thought the clause was so loosely drawn that hardly any man would escape its influence, and the result would be that a candidate would come within its provisions if he subscribed to a Registration Society in his own district. There could be no doubt that if a candidate subscribed to a Registration Society it would be held that the subscription was given for the purpose of influencing elections and obtaining votes. [SIR TREVOR LAWRENCE: Not corruptly.] His hon. Friend said "not corruptly;" but those words were a perfect snare if they were to take into consideration the definition given by Justices Blackburn and Willes. If he (Mr. Lewis) gave a subscription to a Registration Society it would be held that he did it with his eyes open, thoroughly understanding what he was about, and that he did it for the purpose of influencing the electors. He gave his hon. Friend full credit for his good intentions and the purity of his motives; but he thought the Amendment would only add to the number of evils which haunted a candidate. Many men contributed towards churches and chapels and charitable institutions without being, in the slightest degree, influenced by corrupt motives, and if the Amendment were passed it would open out a wide pitfall for candidates. What was really intended by corrupt practices they could all understand. For instance, they had heard of an Indian Nabob (Mr. Dyce Sombre) coming home with cart-loads of money, going down to a small borough and buying the whole place, not only in regard to its private but its public relations. That could be well understood; but it was very different in the case of a casual subscription to a Cricket Club. It was a common practice in the North of Ireland for persons to spend their money upon drum and fife bands; and if he were asked to contribute 10*s.* or £1 towards the expenses of a body of young men in that way, so as to keep them out of the public-houses, he thought the money would be well laid out. Was it to be considered that money so contributed was spent for corrupt motives? He deprecated the attempt now being made to convert the House into a set of purists. Let them put down extravagant expenditure if they liked; but they ought not to say that a man should not have a rosette, or subscribe to a band. Why should he not? For his own part, he hoped the Attorney General would not be taken in by the sort of concord which seemed to spring up the moment the proposal was made. If the hon. and learned Gentleman would take a week to consider the matter, he believed he would find difficulties at every turn; and he thought the Bill would be much more likely to pass if it were more general and its provisions confined within a limited compass, instead of being made to bristle with these elaborate traps and pitfalls. The hon. and learned Gentleman ought to be content with saying—"You must not do this, and you must not do that, which is manifestly corrupt." But it was quite another thing to say that the elector must not have a bit of ribbon or a cockade, or that the candidate should not subscribe to a band or to a piece of harmless amusement. Much as he respected the hon. Member behind him (Sir Trevor Lawrence), and much as he would value any real clause that had for its object the prohibition of lavish expenditure, he thought this clause, as it was now framed, entirely missed that. He appealed to his hon. Friend to withdraw the Amendment. There were quite sufficient provisions contained in the Bill already to require some weeks' consideration at the hands of Parliament; and if the Attorney General would allow him to give him a word of advice, he thought his hon. and learned Friend ought to negative this clause at once, if he was not prepared to accept it.

Sir ANDREW LUSK regretted that his hon. and learned Friend should have entertained this clause for one moment. Members of Parliament did not want to be under trammels of this kind. Some of them in London had subscribed to Churches, Bands of Hope, and Sunday Schools, because they desired, apart from being Members of Parliament, to promote such objects. Were Members of Parliament to be prevented from exercising any kind of benevolence? Some hon. Gentlemen seemed to forget that benevolence was a fundamental principle of the human mind, and would come out whether they wished or not. He knew an hon. Gentleman who sat upon those Benches who was a Dissenter, and who gave not only to his own borough, but to all people, and to all places, and to all Churches. [*Cries of* "Name!"] Well, he meant the hon. Member for Bristol (Mr. Samuel Morley), who gave an enormous sum of money, and not to one class of persons only. The hon. Gentleman was a truly benevolent and kind man, who did good by stealth, and who would, no doubt, blush very much to find it fame. He had no doubt that there were other hon. Members in the same position, and they did not wish to be bound down by a clause like this. For his own part, he would rather cease to be a Member of Parliament altogether. He had no desire to be prevented from contributing towards charitable objects. The clause was altogether impracticable, and he hoped it would be rejected.

Mr. WHITBREAD said, he thought it would expedite the proceedings if the Amendment were withdrawn and brought up as a new clause, and if that course were taken it was hardly worth while to discuss it now. Personally, he doubted whether the Amendment would add anything to the law as it now stood; but if the hon. Baronet was satisfied with the assurance of the Attorney General, it would promote the Business of the Committee to accept the Attorney General's proposal, and bring the clause up at the end of the Bill.

SIR TREVOR LAWRENCE said, he readily accepted the proposal of the hon. and learned Gentleman in charge of the Bill; but if the Agricultural Holdings Bill was to have preference over the Parliamentary Elections Corrupt and Illegal Practices Bill, he was afraid it might retard the consideration of the new clause to so very remote a period that many of them might not be living, and the progress of the measure would not be very rapid. In regard to remarks which had fallen from several hon. Members who had spoken in the course of the discussion, that the clause would prohibit all charitable subscriptions, he wished to say that if it did so, it would be entirely contrary to his intention. He did not think his Amendment would have any such effect, and he should be sorry to be deprived himself of all opportunity of subscribing towards religious, charitable, and other institutions, to many of which he now subscribed with great satisfaction and pleasure to himself. His only object was to check subscriptions which were given by a candidate in view of an election, and which were clearly for a corrupt object.

MR. T. COLLINS said, he thought that the object of the Amendment was good, but that the Amendment itself was utterly impracticable. It would destroy the chance of every local candidate, because he would be obliged before an election to drop every subscription he had ever given. [*Cries of* "No!"] It was all very well to say "No!" but if a man gave five or ten guineas to a National or Wesleyan school, and doubled his subscription when he became a Member, he would run the risk of a Judge saying—"Before you represented the borough you only gave five guineas; you are now giving more, and you are subscribing now to the Odd Fellows, and the Druids, and other societies, and it is palpable that your object was a corrupt one." Every candidate would have the possibility of such a thing hanging over his head. Utterly irrespective of clubs, he had all his life subscribed to charities in his own neighbourhood, and if there happened to be an election in the very place in which he was living, and he thought of becoming a candidate, it would be necessary for him to withdraw every subscription he had ever given, and the people of the borough would lose the money he was in the habit of giving from year to year. They would, therefore, naturally think that it would be better for them to return a stranger, so that he (Mr. Collins) might be able to continue his subscription. So much with regard to a local candidate. If instead of being a local candidate he was returned for some place outside, were they to say that he was not to take a kindly interest in that place? If it was thought necessary to pull down Peterborough Cathedral, for instance, was he to be debared from subscribing towards its reconstruction, because it might be said that he was actuated by a corrupt motive? It was quite clear that such a course would not be taken unless a man was connected with the place. He did not think that a connection with a city or county ought to deprive the Representative of the power of subscribing to the charities of the district. Of course, he knew that county Members were frequently pestered in regard to local subscriptions. If a dog fight, or a flower show, or any other spectacle took place, a county Member was called upon to subscribe towards it; and if anything could be done to ease the burden which fell in this way upon a county Member, he should be glad to see it done. He was of opinion, however, that the clause, as it stood, was utterly impracticable, and he was glad to hear that the hon. Baronet intended to bring it up as a new clause, if, on reconsideration, he found there was any use in doing so. In that case the Committee would have an opportunity of discussing it on a subsequent occasion. Whatever good object it was calculated to accomplish, it would prove utterly impracticable as it now stood.

THE ATTORNEY GENERAL (Sir HENRY JAMES) understood that his offer to give a kindly consideration to the clause met with the approbation of the great majority of the Committee. He therefore hoped that the Committee would not refuse to allow the Amendment to be withdrawn. It was only usual to negative a clause when the Committee were hostile to it, which was not the case in the present instance. If the Government, however, were to accept it, it would be supposed that they accepted the clause as it stood. He hoped the Committee would allow the clause to be withdrawn, in order that the question might be considered hereafter.

MR. E. STANHOPE admitted that the House would be placed in a false position if the Committee refused to allow the Amendment to be withdrawn. He hoped his hon. Friend the Member for Londonderry (Mr. Lewis) would not oppose the withdrawal.

MR. MARUM said, he was an admirer of the national pastime of cricket, and he would do everything to promote it, although lawn tennis seemed now to be superseding it. But he thought the proposed clause would strike a heavy blow against cricket, and all games of that kind. He did not wish to examine the clause too critically; but, looking at it as it stood, it appeared to him to be a trap of a most extraordinary kind. He believed it would be impossible for any draughtsman to frame the clause in a satisfactory manner. But it would amount to a sort of Conspiracy Law, from which it would be utterly impossible for any candidate to escape. While he would go as far as anybody in doing away with corruption, he would be very chary, at the same time, in supporting anything which would place candidates in an unfavourable position. He thought the clause ought to be withdrawn absolutely, without any pledge that it would be considered on its re-introduction at the end of the Bill. If it was to be withdrawn only on a promise that it would be considered again, he should certainly oppose it.

MR. WARTON appealed to the Chairman, whether the paragraph which the Amendment proposed to add to the clause had really anything to do with the clause at all?

THE CHAIRMAN: In answer to the appeal of the hon. and learned Gentleman, I may say that I have considered that point, and that I have come to the conclusion that it is germane to the objects of the Bill.

MR. NEWDEGATE said, that no understanding between Her Majesty's Government and the hon. Member for Mid Surrey (Sir Trevor Lawrence) could be binding on the Committee. He thoroughly concurred in the object of the hon. Baronet, and he thought he had acted properly in consenting to withdraw the Amendment, with the view of its being introduced as a new clause at the end of the Bill, instead of insisting that it should be embodied in the present clause. He hoped the hon. Member for Londonderry (Mr. Lewis) would forgive him if he told him that, inasmuch as a Ballot Bill had been read a second time, and they had decided that electoral proceedings should be conducted in secret, they must support this Curfew legislation.

MR. CALLAN said, he was not entirely satisfied with the clause as it stood. He wished to make it apply to any person who did any act by himself or other person for the purpose of corruptly influencing any person to give, or refrain from giving, his vote at an election. It had gone the round of the newspapers, that a Member of that House had obtained his seat not by subscribing to the local charities, but by leading the electors to believe that he was about to do so. He was not aware whether those promises had been fulfilled or not; but, in order to meet cases of the kind in future, he should move to add to the proposed Amendment the words "or promises to subscribe." He would also suggest the addition of the words "or otherwise pecuniarily assists," in order to make it more complete. He thought the Committee should refuse permission to withdraw the Amendment, and that they should pass it in the amended form which he proposed.

Amendment proposed to the proposed Amendment, to insert in line 2, after the word "subscribes," the words "or promises to subscribe."—(*Mr. Callan.*)

Question proposed, "That these words be added to the proposed Amendment."

MR. LEWIS said, if they were to be told that the Government intended to carry on the discussion by saying that they would vote for a clause of which they practically disapproved, he should certainly not assent to the withdrawal of the Amendment. Although the Chairman had ruled that, technically, the Amendment was germane to the clause, it must be obvious to hon. Members that giving money to a club was not "treating," to define the meaning of which was the object of this section of the Bill; if it was anything, it must be bribery.

It was clear that if the clause were added to the Bill, that a person subscribing money in the most legitimate way would come within its scope. If the Government proceeded in this way, they would, no doubt, make the Bill into a nice little piece of Mosaic work. The Attorney General knew well that the Government had quite enough to do in carrying through the clauses already in the Bill, without adding to them; and it was not at all likely to facilitate matters to increase the number of acts to be made into offences by the measure. However, he was not by any means terrified by this proposal of the Government. They were bound to have a Bill that they believed they could legitimately work; and as they desired to have the clause added, although it would only have the effect of adding to their difficulties, he should oppose its withdrawal.

MR. S. SMITH said, he thought that this clause would be an intolerable burden to anyone accustomed to subscribe to public objects. Again, unless the clause were much more carefully worded than it was at present, it would throw far too much responsibility upon the Judges, whose province it would be to look into the motives for these acts, and upon whose ruling the whole matter depended. He thought they should not make the machinery of the Act of such a kind that it would be very difficult for an innocent man to escape, and that, in his opinion, would be the effect of the clause in its present shape.

MR. O'CONNOR POWER said, it appeared to him that the course recommended by the Government would be the most convenient one for the Committee to follow. The Government were desirous that the clause should not be pressed on the Committee, because they considered that it required great consideration, and it was for that reason that they suggested it should be withdrawn. The hon. Member for Londonderry (Mr. Lewis) objected to that course, and because the Government had adopted the only alternative, by proposing to accept the clause, he made an attack on the Attorney General. He agreed with the spirit of the proposal in its entirety, and if a division were taken upon it he should certainly support the clause. The Chairman had ruled that, technically, the proposal was within the scope of the section of the Bill then before the Committee; but, both on the ground of convenience and in view of the importance of the subject, he thought the proper course would be to allow the Amendment to be withdrawn.

SIR CHARLES W. DILKE said, it was not very usual to refuse leave to a Member to withdraw an Amendment proposed to a Bill in Committee; and he trusted that in the present instance the almost invariable rule would not be departed from.

MR. STANLEY LEIGHTON said, although hon. Gentlemen on both sides of the House were in favour of the principle, there were many of them who said it was impossible to incorporate it in the proposed clause. The Government, although they said they objected to the wording of the clause, were, nevertheless, willing to use the whole of their force to get the principle it involved incorporated in the Bill. The hon. Member for Bedford (Mr. Whitbread) said that what the clause contained was already the law, and that he should vote for it for that reason; but he (Mr. Stanley Leighton) regarded as the very worst class of obstructive legislation that which was carried out by re-duplicating Acts of Parliament, If, then, the proposed clause contained only a re-statement of the existing law, he failed to see the necessity for introducing it. He should like to have a definition of the term "corruptly" from the hon. and learned Member for Christchurch (Mr. Horace Davey), who had been alluded to in the course of the discussion. For his own part, he was certain that if the proposal were to become law, a large number of hon. Members would, within a week, find themselves within its operation.

MR. WHITBREAD said, he would ask the hon. Member for Londonderry (Mr. Lewis) to consider the difficult position in which the Committee would be placed by his insisting upon the Amendment going to a division. He appealed to him as to whether it would not be better to allow the clause to be postponed for consideration?

MR. BOURKE said, he would also appeal to his hon. Friend not to persist in his opposition to the withdrawal of the clause. He begged him to recollect that, although some expressions made

Mr. MACFARLANE said, it seemed to him that this Amendment might very easily come in the 2nd clause, the object of which was to define corrupt practices. It would be very easy to set forth these things specified in the Amendment in the 2nd clause, if they were corrupt practices.

Colonel NOLAN said, the objection he had to the clause was simply on account of the word "corruptly" having been placed in it. He thought the clause would do very well without that word, and that it would be well to have an absolute prohibition—that was to say, that after striking out that word the clause should be left upon its present footing. He believed that what the Amendment would do was already the Common Law of the land. They were simply proposing to place in the hands of the Judge power to seat any candidate he liked, or to put out whoever he pleased.

Amendment, by leave, *withdrawn.*

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

Mr. LEWIS said, he had on one or two occasions ventured to describe this measure as a very severe one, and he thought it would be found, on looking at it, that it answered this description in all its parts. With reference to the subject-matter of the clause, which was simply treating, he was well aware that, as regarded a candidate, they could not judge of the severity of the Bill until they came to deal with the 2nd clause, which treated of the punishment to be assigned for an offence if committed by the candidate; but as regarded the electors or other persons, this clause was far more severe than the present law. As they knew, at the present time treating on the day of the election was a specific offence, which, if committed by any person other than the candidate, was punished by a small fine. It was of importance, with reference to non-candidates, to look at this section in regard to the consequences, which made criminal results of a very serious character follow from the commission of a very small act on the part of a person not a candidate, and, in point of fact, not even an elector. One naturally asked what was there in the history of Parliamentary Election Inquiries during the last 10 or 20 years which had shown that there was any grave evil with reference to treating in existence which necessarily called for severe remedies? He was perfectly aware that many elections had been upset in consequence of specific acts of treating; but if they came to the aggregation of these offences, he was justified, he thought, in stating that they would not be able to find evidence of any vast amount of treating as an electoral offence in any part of the United Kingdom. No doubt, there might be shown a tendency to looseness of habit and of conduct on this subject at certain elections; but, looking at the thing as a general evil, he ventured to suggest that the hon. and learned Gentleman the Attorney General had not produced, and could not produce, evidence to show that treating was a very serious matter, which needed to be dealt with by very severe penalties. He (Mr. Lewis) was not entitled, on this clause, to do anything more than refer to what the consequences hypothetically would be if the Committee passed this clause in its present form in regard to non-candidates. What, he asked, was this? What justification had they for now making, for the first time, this offence of treating on the part of non-electors so serious as it would be, and needed to be, on the part of candidates? It was intended that if a person was found guilty of treating—though now he could only be fined 40*s.*—he should be liable to imprisonment for a period not exceeding one year, with or without hard labour, and to a fine not exceeding £200. Now, he submitted that there had been no case made out, and that a case ought to be made out by the hon. and learned Attorney General if this very penal alteration in the law with regard to treating by those who were non-candidates at an election was to be accepted by the House. Of course, they could well understand that treating by candidates, *primâ facie*, led to the suspicion that there was some corrupt intention on their part; but he knew that there were many acts that a Judge might reasonably look upon as treating, and not only as treating, but as treating with a corrupt intent to evade or break the law, which were not of moral obliquity. They had no right to ask the people to bear a greater burden in this respect than the circumstances required. It was a truism to say that if the Bill passed into an Act of Parliament in such a condition as to be unduly severe, it would overleap itself and be worthless for the purpose for which it was intended; and he asked hon. Members whether they did not think if an unfortunate man who had been—he was going to say unknowingly—committing an act of treating, or a course of treating, during an election by imprudence or improvidence—if he should be made subject to an indictment before a jury, what probability would there be of a conviction if the jury knew that for some small acts, or probably an act of this character, the man would be liable to imprisonment for one year, with or without hard labour, and to a fine of £200? He had looked through the Reports of the learned Judges who had had to decide election inquiries under the Act of 1868, without finding any testimony on their part to the existence of any grave evil in the matter of treating in the constituencies whose conduct they had had to consider. If that was so, where, he would ask, was the necessity for the making of these stringent provisions which they found in the Bill? He must confess that, on looking at the cases of treating, he had been startled at the ridiculous length to which these clauses had been carried. For the benefit of hon. Members who had not been accustomed to investigate these cases of treating at elections, he would point out that in the celebrated case of North Norfolk, in 1869, in order, if possible, to substantiate a charge of treating, the parties actually called the Member's butcher to find out how many pounds of beef had been supplied during two or three days, or the whole week of the election. Then the Member's servants were called for the purpose of showing into what room the cold meat had been taken and placed on the table, and how much of it had been cooked. He thought that an inquiry as to whether a cold collation, given in the billiard room of a country gentleman's house on the day of the poll, or day of nomination, was treating within the meaning of the Act of Parliament, merely brought the law into contempt. If a country gentleman was not to be allowed, in his billiard room, to have some cold boiled beef and some roast beef on the table, for fear his election might be imperilled, it was absurd in the highest degree. The case in question was seriously discussed by Lord Blackburn, who entered into a calculation as to the number of people who could have been entertained to the collation. It did not appear how many people did partake of the collation; but it was held that as many as 100 might have done so if they had wished. There were all these ridiculous inquiries made in the case, so as to ascertain whether the case came to corrupt treating within the meaning of the Statute. He contended the severity of the Bill would be the means of defeating its object, because it frequently happened in this country juries, in the case of the stringent law, returned a verdict of "Not Guilty;" whereas they would return a verdict of "Guilty" if there were a reasonable law to vindicate. He supposed they would hear from the Government what public cases they had in their minds which made it necessary to call for this very severe law as regarded non-candidates. When they came to the clause with reference to punishment, it would be the duty of those who had, like himself, strong views on the subject, to severely criticize it. There was practically a new offence—a new criminal offence—created, as regarded non-candidates. The clause was ridiculously severe, because in the last paragraph it was provided—

> "And every person whether an elector or not who corruptly accepts or takes any such meat drink or entertainment or provision shall also be guilty of treating."

No one would ever convince any number of men, poor or rich, that, whether it be polling day or nomination day, if an unfortunate man was asked to take a pint of beer, or a crust of bread and cheese, he ought to be held liable to the penalties under this Bill—that he should be liable to suffer by being sent to prison, with or without hard labour. He ventured to say that no case had been made out by the supporters of the Bill, calling for any increase of severity of the law in reference to treating by persons not in the position of the candidates. The Attorney General seemed to think that he escaped all difficulty with respect to the net-work of this clause, when he said the words would be found in other Acts of Parliament.

They were told that if they went back 200 or 300 years they would find the word "entertainment" in an Act passed at that time; and that that was a sufficient reason why it should be retained in this Bill. There appeared to him to be every reason to call for an explanation from the Government, why that which had hitherto not been a criminal offence was now to be turned into a grave criminal offence? He thought there was every reason to ask the Government to endeavour to hedge it round with such conditions as should not render it too perilous, hazardous, or severe. He maintained that the expression "entertainment" was one that, however it might be sanctioned by antiquity, its existence in the present Bill was certainly a matter which required a distinct explanation from the Government. He should have no hesitation in voting in favour of the omission of this clause, because it was one of a series of severe, indiscriminate, and unreasonable provisions in the name of purity of elections.

Mr. WARTON said, he should support the hon. Member for Londonderry in objecting to the clause, because he felt, with the hon. Gentleman, that the clause was unnecessarily severe. He thought the hon. and learned Attorney General, in bringing forward this new clause, might have given them at least one case, not to say more, of some serious evil that had resulted by persons, who were not candidates, treating electors at election times. No such case was brought forward. This clause had been brought forward more in the abstract love of purity than for the purpose of remedying any admitted evil. The Attorney General had made a great mistake, when framing this clause, to follow so slavishly the Act of 1854, which related to the conduct of candidates. It seemed an almost unreasonable idea that to find out this new crime they were to follow so slavishly the words of an Act of Parliament which related to treating by candidates only. Again, he asserted there were not a sufficient number of definitions in the Bill, and he intreated the Law Officers of the Crown to look at the Interpretation Clause again, and put in, at this point, an interpretation of treating; and also to consider whether—although they did follow the language of the Act of Parliament of 1854—it would not be wise to omit the word "entertainment," which in the last 200 years had changed materially in its significance? The Attorney General must make up his mind whether he intended or not to prevent persons in indulging in innocent amusement? In the whole scope of this section he found nothing but a spirit of Puritanism. They were cutting off all the enjoyments of life, as fast as they could, by means of Acts of Parliament. He did not see why Parliament should prevent the amusement of poor people, either before, or during, or after an election. It seemed to him that the Government went upon the principle of making their Bills entirely wrong, and of introducing provisions which were not at all wanted. That was one of the worst clauses which could be imagined, and he maintained that public opinion was not ripe for any such clause; indeed, in his opinion, public feeling was hardly ripe for the law as it now existed.

Mr. CAVENDISH BENTINCK said, that as the Attorney General had not thought proper to reply to the hon. Gentleman the Member for Londonderry (Mr. Lewis), and as the hon. Member had asked a question, he (Mr. Cavendish Bentinck) would, on behalf of the Attorney General, be obliged to answer the question. His hon. Friend wanted to know what necessity there was for the Bill, and he asked if there had been any grave cases of treating to justify this clause? He asked why had the Bill been brought in? He (Mr. Cavendish Bentinck) was surprised that his hon. Friend's natural acumen did not tell him that the Bill had been brought in as a matter of political expediency. They were told years ago that if they only lowered the suffrage, if they only supplemented it by vote by ballot, purity at elections would be realized beyond the expectations of the most sanguine. It was needless to inform his hon. Friend that at the last election that expectation was totally falsified. It was then that bribery was riper than it had ever been before in the history of this country, and it was then that electoral expenditure increased alarmingly——

The CHAIRMAN: I must remind the right hon. and learned Gentleman that the Question now before the Committee is that Clause 1 stand part of the Bill.

Mr. CAVENDISH BENTINCK said, he was quite aware that that was the Question before the Committee; but if the Chairman did not think his observations pertinent to the Question, he would not repeat them. He thought, however, he was justified in showing that the cause of this Bill was the failure of the ballot, and the increased bribery which took place in consequence of the lowering of the suffrage. He firmly believed that the result of this Bill would be to increase bribery, and what they would take out of the right hand pocket they would put into the left. There was another matter on which he wished to enter his strong protest, and that was raised by the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), a Gentleman of great legal experience, whose observations naturally always attracted attention in that House. The same arguments used by the hon. Gentleman in favour of the clause were used the other night by the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross). It amounted to this—that the clause was nothing more or less than a re-enactment of the old law that up to the present moment a candidate had been liable for treating, and that all they were going to do was to make other persons who were not candidates also liable. It appeared to him that, notwithstanding the legal acumen of the hon. Gentleman the Member for Wolverhampton, the hon. Gentleman did not see the difficulties in which he was embarking. So long as they had a candidate before them, they had a clearly marked person. He was a candidate for either a county or a borough seat—it was possible to follow all his acts; but he (Mr. Cavendish Bentinck) submitted, in spite of what the hon. Gentleman the Member for Wolhampton said, that they could not follow the acts of all the world. It was a totally different thing to deal with a candidate, and to deal with all his supporters. No doubt, when the candidate was there, he was responsible for his actions; a candidate had got something he wished to obtain, and, if he acted improperly, he had nobody but himself to thank for any consequences that followed; but when they dealt with a large body of persons, they ought not to strain legislation in the way contemplated. Let him, for a moment, ask the Committee, and also the hon. Gentleman the Member for Wolverhampton, to direct their attention for a moment to the very weighty terms of the clause—

> "And every person whether an elector or not who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of treating."

Then they were told by the hon. and learned Gentleman the Attorney General that on some day or other he was going to cut that down. They were going to have this provision safeguarded. The right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) then said—"Oh, don't argue that now, wait until we come to another clause; then I think we shall be able to cut it down in such a way that this will probably, in the end, come out with advantage." That was one of the very propositions to which he (Mr. Cavendish Bentinck) objected, especially now that the present Government were in Office, because they never knew their own minds, as they had witnessed to-night in the case of two of the earlier Amendments; for two days together they had opposed them, but when he left the House to-night he found that the Attorney General was going to accept one Amendment. ["No, no!"] He begged the hon. and learned Member's pardon; but he certainly left the House under the impression that if the Amendment then under discussion were withdrawn, it would afterwards be incorporated in the Bill. Speaking on behalf of the public in general, what he objected to altogether was that they should run the risk of the penalties provided by the Bill without any safeguards. ["Hear, hear!"] He was glad that that observation commended itself to the hon. Gentleman the Member for Wolverhampton. Now, the danger he feared was that they would never get these safeguards, or that, perhaps, in "another place," or that on Report of the Bill, they would find all the safeguards that might be introduced swept away. His opinion was this—that if they left the field as wide as it was at present left in the clause there was no telling what numbers of innocent persons might have to suffer very considerably. Months, or even years, before a contest a man might say, in a most innocent way, to some of his friends—"You voted on the other side last time; I am glad that you are with me now; let us come and have a glass of beer." If this was said—and he was sure it would be said in many cases—who was to say that the Judge would not hold that this was a corrupt practice? Who was to predict, who was to prophecy, what the opinion of the Judge would be? Only the other day he was speaking to a very eminent practitioner at the Bar, and during the conversation his friend said to him—"Do you suppose it is law which a Judge delivers in a Court? Oh no, it is not law; but their decisions depend very much upon what they have had for breakfast." It was impossible for any man to foretell how a Judge would interpret the expression "corruptly." His hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) rose in his place and implored the Attorney General not to attempt to define the word "corruptly;" and the reason he gave was this—that the word "corruptly" was so wide a term that no lawyer had ever attempted yet to define it. His (Mr. Cavendish Bentinck's) great objection to the clause was inasmuch as they had no guarantee whatever against the time being limited within which men could be charged with this offence, and inasmuch as there was no definition whatever of the word "corruptly." Many vexatious cases would arise when they came to couple this fact with the penal consequences under the Bill. He maintained that no free man in a free country ought to vote for such a law. Let the Attorney General remember this—that these questions, after all—["Divide, divide!"] He knew that hon. Members did not like to hear what he was saying. There was nothing so disagreeable to them as the strict truth. Let them examine what this particular offence was; and let him ask hon. Members if they considered it worse to give a man 5*s.* for his vote than to give it to him for any other purpose? What was the extraordinary crime in doing that particular thing? They knew that fees to their servants were prohibited by Railway Companies; but he would like the Attorney General to rise in his place and say that he had never feed a railway servant. All bribery, no doubt, was objectionable; all bribery, if they pleased to say so, was wicked; but how could they distinguish between one sort of bribery and another? Ever since this country had been a Constitutional one, electors had been in the habit of looking, at election times, for something or other, which the late Mr. Bernal Osborne so well called not a privilege, but a perquisite. For no reason whatever, as he had said before, but because all the attempts to increase the suffrage and to establish vote by ballot had resulted in such bad consequences they were attempting now to pass these penal clauses. He had no hesitation in affirming that it was the duty of every free man of this country to reject this measure.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the right hon. and learned Gentleman (Mr. Cavendish Bentinck) had asked whether there was any more harm in giving a bribe to an elector than in giving a fee to a railway porter? He hoped the right hon. and learned Gentleman would allow him to differ from him slightly upon that point. The speech which the right hon. and learned Gentleman had just delivered reminded him of the speech which the right hon. and learned Gentleman made 11 years ago, in opposition to the Ballot Bill. He regretted to find that after such a long time as 11 years the right hon. and learned Gentleman had lost none of his facile energy in sustaining, he could not say argument, but sustaining statement. As to the speech of the hon. Member for Londonderry (Mr. Lewis), he (the Attorney General) felt that he ought, in deference to the hon. Gentleman's practical knowledge and power of statements, to make some reply. If the hon. Gentleman would allow him, he could not help saying that he recognized a fair amount of moderate criticism in his statements in regard to this clause; and though he had declared himself a strong opponent of the Bill, he was sure the hon. Gentleman would bring nothing but fair criticism to bear upon it, in which case he (the Attorney General) should be most happy to listen to all he had to say. He was sure the hon. Gentleman did not wish to say that the corrupt practices of treating ought not to be dealt with. No doubt, in consequence of the extension of the franchise, there was a great increase of what the hon. Gentleman termed small bribery. Was there any Gentleman in that House who wished to see a continuance of the system of treating? Ought they not to do something to stop it? As the law stood at present, only the candidate was responsible for the offence. By a strange anomaly, he was liable for the acts of his agents; but if any person, if he was the agent managing the election, were to bribe any portion of the constituency, he was liable to no penalty at all. Was that a satisfactory state of law? Treating was held to invalidate an election; but it imposed no penalty upon the person other than the candidate, who lost his seat; but no penalty attached to any other person. This clause only carried out the principle that all those who were parties to treating should be held responsible for it; and, therefore, he trusted that the Committee would pass the clause.

MR. BIGGAR said, he was very much in favour of the clause, because it conveyed the idea that the elector was not under any personal obligation to the candidate, and that the candidate was under no personal obligation to the elector. But what occurred with regard to these promises was a great deal of running after the candidate and his friends on the part of the electors. He thought that in most cases the elector was guilty in treating rather than the candidate and his friends; and he believed that, as a rule, the latter would be much gratified by having an opportunity of putting a stop to the practice. In the last Parliament there was a Member of the House, not a very brilliant character, who represented a Scotch constituency; and upon one occasion he (Mr. Biggar) asked one of the Gentleman's constituents how it was that he had been returned as their Member? He replied that the secret was that the Gentleman in question was a member of the Town Council, and that the Committee were in the habit of holding their meetings at his house, where a quantity of whiskey and water was consumed, the consequence being that he was pushed forward as Member of Parliament. That Gentleman, if this Bill had been passed into law at the time he was referring to, would have fallen under the provisions of the present clause. Although, as he had already stated, he was in favour of the clause, yet, when they came to that portion of the Bill which imposed penalties for the acts specified, it seemed to him that it would have to be very much amended, because those penalties were undoubtedly excessive in view of the acts mentioned.

Question put.

The Committee *divided*:—Ayes 141; Noes 12: Majority 129.—(Div. List, No. 138.)

Clause *agreed to*.

Clause 2 (What is corrupt practice).

MR. STANLEY LEIGHTON said, he proposed to move an Amendment for the purpose of including in the definition of corrupt practices subscriptions of money for the purpose of paying any candidate's election expenses by subscribers who were neither residents nor electors in the constituency. He believed he should be able to show that this form of bribery and corruption surpassed, in its magnitude and its evil consequences, every other kind of bribery and corruption penalized in this Bill. The Amendment he proposed struck at the wholesale bribery of certain Societies. Now, the hon. and learned Gentleman the Attorney General had said that everything which tended to corruption should be put down. That being so, he hoped the hon. and learned Gentleman would accept his Amendment. He would now pass from generals to particulars. His object was to deal with the accumulated funds known generally under these four heads — the Reform Club Fund, the Carlton Club Fund, the Birmingham Caucus Fund, and the Dublin Nationalists' Fund. He believed there were other similar funds that were raised by social and religious bodies throughout the Kingdom, which might possibly, also, come under the clause. These accumulated funds were the main sewers of corruption at a General Election; it was then that the floodgates were opened, and a stream poured over the country which tainted the political atmosphere. These Societies were secret. Their accounts were not published, and he supposed that no one in that House knew accurately how the funds were dispensed. He would remind the hon. and learned Gentleman the Attorney General, in considering this matter, of the old legal axiom that "secrecy is the badge of fraud." Now, the persons really responsible for these iniquities were the Leaders of Parties, in whose interest the money was paid. He would appeal to the Prime Minister, who stood before the country as a perfect example of purity, to support him in trying to put down the evils which existed under this secret system. With the permission of the Committee, he would describe the method of operation, which was this—A constituency, for instance, had not within itself any candidate willing to come forward; the constituency was unwilling to find the money necessary to contest an election—would, in fact, prefer that there should be no contest; it was then that the managers of these secret funds intervened and decided upon a candidate, gave him money, and sent him down—in most cases a perfect stranger—fully equipped for the contest. It was only a few days ago that he had observed this statement in a newspaper with regard to the representation of Leicestershire—"The Leaders of the Party in London thought that there ought to be a contest." The constituency, it appeared, did not want it; but the Leaders of the Party in London decided that there should be a contest in Leicestershire. At a General Election the Leaders of the Party decided upon contests in a great many constituencies. Then, as to the question whence the money was derived? It came from the funds which he, in general words, had described as the Club Funds. He was quite aware that the clubs *per se* had nothing to do with the matter; and he only intended to describe what was a general fund of the managers of the Parties. The candidate, having received money under such circumstances, was in honour bound to vote for his Party, even against the wishes of his constituency, against the interests of his country, and against the dictates of his conscience. He was in honour bound to vote for those who had given him the money—that was to say, to vote for the Party *per fas et nefas*. What was the effect of this upon the government of the country? It was that the government was taken out of the hands of the constituency—out of the hands of the people as a whole—and placed in the hands of a small portion of the people—which represented not the nation as a body, but that part of it which was, for political purposes, able to spend most money in corrupting the constituencies. He had no hesitation in saying that this was the position of the Government of the country at the present time. Would anyone in that House venture to deny the existence of these funds? Would anyone deny that there were the funds which he had called the Reform Club Fund, the Carlton Fund, the Birmingham Caucus Fund, and the Dublin Nationalists' Fund? He would like the hon. and learned Gentleman the Attorney General, with his legal acumen, or anyone else of common sense, to say whether the operations of such Societies tended to the purity of elections? With the permission of the Committee, he would ask their attention to one or two Reports which had been made by the Commissioners appointed by that House; but, in doing so, he did not intend to bring into discussion any personal or local matter, nor did he intend to mention any particular constituency or individual. Amongst other things the Commissioners said, in speaking of one of these funds, that it was administered by a number of gentlemen during the General Election; that it was of enormous magnitude; and that Party organizations for the collection and distribution of such funds were an unqualified evil. They went on to say that they were informed that a similar fund existed on both sides; that they were not created in the constituency, but outside it, and held in the hands of the Party managers; that in one case £3,000 had been advanced out of the fund for the purposes of an election; and that it was customary to recruit the fund in prospect of a General Election. With regard to one election, Mr. Justice Hawkins said—

> "I cannot understand how, in a place like this, it can be necessary for the conduct of a fair election to employ foreign solicitors, strange clerks, strange agents, and strange assistants."

These were some of the fruits of a system which the Government had not attempted to touch. In this Bill, in which they professed a desire to put down bribery, they had not attempted to put down that flagrant form of it, which their own Commissioners, as well as the Judges of the land, had condemned. How were these funds supported? They were supported by subscriptions, and sometimes a rich man of a Party would think it meritorious to subscribe £20,000 in aid of them. How were the persons who paid these large sums of money rewarded? They got Lord Lieu-tenancies, Baronetcies, Peerages, and almost any amount of smaller patronage. He understood, in some cases, that candidates were so sensitive on the point of honour that they did not like to take money from individuals, but had no objection at all to taking it from the Societies in question. It was in this way that rich men put a whole Party under an obligation; and the Committee would perceive that this was a much safer investment than placing a single individual under an obligation. As for the candidate himself, he was under a distinct obligation to his Party; he was bound to vote for it; so this sort of vicarious bribery answered in both ways —it was beneficial to the rich subscribers and to the political Party. It was only ruinous to the independence of the candidate and of the constituency. He would now proceed to suggest what, to his mind, was a possibility of the gravest character, and to this he hoped the Committee would pay the fullest attention. As he was not in possession of actual proof, he would confine himself to saying that it was possible that these funds were in some cases supported by foreign subscriptions. It had appeared in the newspapers—and he believed there was a very general consensus of opinion—that a large amount of the Dublin Nationalists' Fund came from foreigners on the other side of the water who were unfriendly to England. As that fund was used for purposes which both English Parties in the House were opposed to, he felt sure both Parties would be willing to condemn it. But he would mention an uglier possibility. The foreign policy of this country often depended upon a General Election; and it was probable that at such periods the funds in question were sometimes recruited by money from foreign sources. It was sometimes worth the while of a Foreign Government to do all they could to change an existing English Ministry. It was of the most vital importance to Russia that the "bag-and-baggage" policy, the "hands off" policy, the "insult to Austria" policy, should become the policy of the English Cabinet. The existence of these funds gave the Government of Russia an easy method of influencing English elections.

THE CHAIRMAN said, it seemed to him that the hon. Member was travelling very wide of the Amendment.

MR. STANLEY LEIGHTON said, that being the opinion of the Chair, he would pass away from this point, and address himself to another part of the subject. Those secret Societies—for they were nothing better — had originated since the first Reform Bill. Before that Bill was passed they knew who those who nominated Members were; they were nominated by particular "borough mongers;" but the system which the present Government were willing to allow was all the more dangerous because it was secret. The general public could not tell, and could only suspect, who had been nominated by the Party organizations in London or Birmingham, and who had received money. He would suggest that those waiters on the Government should wear badges or rosettes, so that they might be known, just as he had seen waiters at a public dinner marked, in order to distinguish them from the guests. He was told that there were no less than 200 Members who were now supporting the Government who ought to be decorated in this manner. What was the result of this abominable system? Why, Members of the House of Commons were treated, not as independent gentlemen, but as though they were menials. He sometimes heard—and he regretted it very much, but he could not close his ears—language used to hon. Members at the door of the House which shocked him exceedingly. These things were done *in camera.* But the noble Lord the principal "Whip" made no secret of the matter, but went down to public dinners in the country and told the whole of the people of England what his duty was; and what did they suppose it to be? The noble Lord said—"My duty is this—to tell Members when they are not to speak." So this system had produced this result —that the business of the Patronage Secretary was not only to direct men how to vote, but also when and how to speak. It would be more becoming if such hon. Members were allowed to vote by proxy. In this way local representation and the free choice of constituencies were absolutely crushed out and destroyed. There was not a great difference between the incoming Member receiving money and the sitting Member receiving it, yet there were few Members of the House who would think it right that those secret Societies should keep in their pay Members who were sitting in the House. He wished to point out that his Amendment did not strike at local funds; it only struck at those outside organizations, which, as he contended, were intended to destroy the character and independence of the constituencies. He did not see any special harm in impecunious Members being supported by the constituencies. There were frequently collections among the constituencies for election expenses, and there were also collections made for the support of Members in the House of Commons by their constituents; and that, he thought, was legitimate. But, in the other case, the Members would not only be serving their constituencies, but these secret Societies as well; and his contention was that no man could serve two masters. He did not see how the Government could logically condemn any class of corruption if they maintained this wholesale system of bribery themselves.

Amendment proposed,

In page 1, line 25, after "namely," to insert —"Subscribing money towards any general fund for the purpose of paying candidates' expenses in constituencies in which the subscribers are neither residents nor electors."—(*Mr. Stanley Leighton.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, no one sympathized more than he did with a great deal of what had fallen from the hon. Gentleman who had just sat down. He agreed with the hon. Member's description of the funds raised out of the constituencies as amounting to an evil; and it was because the Government wished to put a stop to such things that they had introduced this Bill. His (the Attorney General's) contention was that the best way to prevent the collection of such money was to obviate the necessity for such money being required; and he hoped he would have the support of the hon. Member in his attempt to put a stop to such subscriptions by destroying the causes which brought them about. The hon. Gentleman had said, truly enough, that secrecy was the badge of the Clubs, and that was so; but they had framed Section (*f*) of Clause 26 with the object of requiring contributions, from whatever source they came, to be made public. The section said—

"A statement of all money, securities, and equivalent of money received by the election agent from the candidate or any other person for the purpose of expenses incurred or to be incurred on account of, or in connection with or as incidental to the election, with a statement of the name of every person from whom the same may have been received."

It was with the very object, as the hon. Member had stated, of requiring all subscriptions to be made public that that section had been inserted, in order that if £3,000, as had been suggested, were contributed for the payment of a candidate's expenses, the fact would have to be made known. He hoped the hon. Member would see that, though there might not be complete publicity, the point he had raised had been kept in view to a very great extent. He could not accept the Amendment. The hon. Member seemed to object to a candidate receiving money collected amongst persons non-resident within the borough, whether or not they lived in places adjoining; but this, it should be remembered, would prevent a certain class of people, who might be spread over a large area, from subscribing to an election fund of a candidate who might represent their interests, and whom they were very anxious to see elected. In the case of the hon. Member for Morpeth (Mr. Burt), for instance, would they say to the miners of Durham and the coal districts—"You must not subscribe to a fund for the purpose of securing the return of this Representative; the money must come from persons living within the borough of Morpeth, and not from anyone outside." It might be that the interests of many electors of Morpeth might not be so much that of the miners living outside the borough.

Mr. STANLEY LEIGHTON said, he had referred to a general fund; but a fund which would be subscribed by miners for a particular election would be a particular fund.

The ATTORNEY GENERAL (Sir Henry James) failed to see what the hon. Member meant by "a general fund." He took it that if subscriptions were allowed in the case of miners who wished to see the hon. Member for Morpeth returned, they would be equally allowable in the case of residents in India who, on account of services rendered them by the Postmaster General (Mr. Fawcett), might be anxious to testify their appreciation of him by contributing to a fund for the purpose of securing his return to Parliament.

MR. GREGORY said, he had no doubt the Amendment had been framed with the very best intention; but whether that intention was carried out in the proposal was another matter. He could not help thinking it matter for regret that hon. Members proposed Amendments of this character without due consideration. The question they were discussing was one which involved a year's imprisonment, with or without hard labour, if a person committed an offence against the clause. This penalty was a very severe one, and was a penalty to which no man should be lightly subjected; and he ventured to think that the Amendment under discussion, as well as that which they had already considered, would seriously imperil the seat of any candidate who contested an election. The clause, if the Amendment were agreed to, would read thus—

> "The expression 'corrupt practice' as used in this Act means any of the following offences—namely, subscribing money towards any general fund for the purpose of paying candidates' expenses in constituencies in which the subscribers are neither residents nor electors; treating, as defined by this Act, and bribery, undue influence, and personation, and aiding, abetting, counselling, and procuring the commission of the offence of personation—as such offences are defined by the Corrupt Practices Prevention Acts as amended by this Act," &c.

Under this Amendment, although money might be subscribed to a general fund for a purpose perfectly legitimate under the Act, the person so subscribing might be liable to a year's imprisonment, with or without hard labour. ["No, no!"] He said, "Yes." Suppose he wished to subscribe to a general fund to pay the election expenses of a friend who, he conscientiously believed, would be an acquisition to the House, and would render great services to his country, he should be liable to a year's imprisonment if he subscribed a £5 note for such a purpose. Surely the Committee would never agree to such a proposal as that. With all respect to his hon. Friend, he would say that before such Amendments as this were proposed, the operation of the law as it at present existed, and the extent to which the new law would be carried, should be fully and carefully considered, and regard should be had to the pitfalls and dangers to which persons conducting elections with every desire to obey the law might be exposed.

MR. NEWDEGATE said, he had an Amendment on the Paper something in the sense of that proposed by his hon. Friend now before the House; but having had a very long experience of election matters, and that in very troubled times, he would venture to express a hope that the hon. Member would not divide the Committee. If the hon. Member did divide, he (Mr. Newdegate) should feel it his duty to vote against him, and for this reason—that a great outcry had been raised in the country—it was raised in Birmingham last night—to the effect that men of talent, but of small means, could not obtain access to Parliament. Without funds of the kind which this Amendment would render illegal it would be impossible for such men to enter the House. The application of these funds would afford a test of the ability of those in whose support they were applied; and he did not think it possible for the electoral system to work without such funds. Well, his Amendment was directed against the abuse of these funds; and he, therefore, hoped that his hon. Friend, who, as it was obvious from what he had said about local funds, was anxious to prevent the abuse and not the use of these general funds—would withdraw his own Amendment and support his (Mr. Newdegate's), which was directed specifically against the abuse of these funds, and which supplied certain omissions of the clause, which did nothing to prohibit intimidation and other offences which it was well known were not comprehended within the law.

MR. STANLEY LEIGHTON said, he should withdraw his Amendment. It had so far served his purpose, as the discussion on it had served to show the utter insincerity of the Government, who, while professing a desire to put down corruption, would maintain it wholesale.

Amendment, by leave, *withdrawn.*

MR. PARNELL said, he proposed to move an Amendment before that which stood in the name of the hon. Member for Sligo (Mr. Sexton), with a view of limiting, to some extent, the definition of undue influence contained in the Bill, and making more definite what were the offences which were generally held, according to interpretations of the law which had been given to them by Judges, to constitute undue influence. Undue influence was defined by the Act of 1854 as follows:—

"Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict, or threaten the infliction, by himself or by or through any other person of any injury, damage, harm, or loss, or in any other manner practise intimidation upon or against any other person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall, by abduction, duress, or any fraudulent device or contrivance impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be guilty of undue influence."

Under this Act of 1854 undue influence was made, of course, a corrupt practice, and would, if practised by an agent of a candidate, void the election of such candidate, being held to have been committed by the candidate himself indirectly. By the judgments which had been given from time to time in Ireland, that a speech delivered at a meeting on behalf of a candidate was held to constitute the speaker an agent of that candidate, consequently any word which might be used in such speech, which might be held by the Judge, under the 17 & 18 *Vict.*, to come within the words "or in any other manner"—that was to say, which might be constituted by those words a corrupt practice—might lead to the disqualification of the candidate, to his practically remaining out of political life for 10 years, and to preventing him from representing his own constituency for life. Now, they knew that under the Prevention of Crime Act intimidation was a different statutable offence in Ireland from what it was in England, and that it would be so for two years to come. It had been defined under the Prevention of Crime Act, and that definition was found to be very different from any definition which had ever been given in England; consequently, if he was correctly informed, the Judges would hold and put in force in Ireland the interpretation of intimidation given by the Prevention of Crime Act in the trial of Election Petitions. This, however, was but a small point in his case. This question of undue influence had always been held to be a grievance by popular candidates in Ireland. As he had said, the candidate was held responsible for the speeches of everybody at his meetings, no matter whether the candidate was present during their delivery or not, no matter whether he was 20 miles away from the place, and no matter whether it had been perfectly impossible for him to control those speeches. Through such an act on the part of a constructive agent it would be in the power of the Judge to unseat the candidate, and inflict upon him all the other great penalties which had been referred to. If this were to be the law, a person might maliciously use words in a speech which would bring the candidate under the penalties of the Act, the Judge taking the view that the words constituted undue influence within the meaning of the section. The necessity for these definitions of undue influence had very much passed away since the old times, when undue influence was undoubtedly exercised probably on the one side and the other, when the landlord used it on the one hand, and when clerical influence was brought to bear upon the elector on the other. Practically speaking, however, although there might be attempts made to exercise undue influence, and though there might be an appearance of undue influence in speeches delivered during election contests in Ireland, there was no such thing exercised on the minds of the electors. It had no result so far as a practical effect upon the minds of the electors was concerned, since the passing of the Ballot Act. The passing of that Act enabled an elector to give his vote absolutely free from undue influence of any kind whatever, from all undue influence, whether spiritual or physical. There was no reason, so far as Ireland was concerned, and, so far as he knew, so far as England also was concerned, why this provision against undue influence should be inserted in the Bill, or should be made for the future a permanent part of the Election Law of the land. The Amendment he had drafted, and which, he regretted to say, was not on the Paper, run thus—To leave out in line 26 the words—

"And bribery, undue influence," in order to insert "using any violence or threatening any damage, or resorting to any fraudulent contrivance to restrain the liberty of a voter, so as to compel him or frighten him into voting, or abstaining from voting otherwise than he freely wills, and also bribery."

He brought in bribery at the end for motives of convenience. The Committee would observe that he omitted the phrase "undue influence" altogether, and adopted in its stead the definition of Mr. Justice Willes in the Lichfield case as one which, having regard to all the circumstances, was sufficient for preserving freedom of elections in England and Ireland, so far as undue influence was concerned. He wished to point out that if the Committee accepted his Amendment, it would have the effect of superseding the definition of undue influence in the Act of 1854. Some of the definitions of undue influence and intimidation in that Act were very objectionable, and the words "or in any other manner practise intimidation" were especially objectionable. He considered the phrase a great deal too wide, as it left it open to the Judge to say that almost anything that the candidate or his constructive agents might do or say was intimidation. The Irish Members believed that so long as the law was allowed to stand as defined by the Act of 1854, combined with the adoption of the greatly increased penalties for corrupt practices contained in this Bill, the rights of candidates and constituencies in Ireland would be very gravely menaced, owing to the construction which might from time to time be put on that section of the Act of 1854 by the Election Judges. He need not remind the Committee of the famous Judgments which had been delivered in Ireland. They had, for instance, the Judgment of Judge Keogh in the Galway case, and they had the Judgment of Judge Lawson in the case of the hon. Member for Dungarvan (Mr. O'Donnell) when he was returned for the City of Galway. It would appear that the undue influence clause was originally inserted in the Election Law in order to prevent overt intimidation, such as threatening to withdraw custom, eviction, and threats of eviction by landlords, &c. It was now impossible to intimidate any elector by speeches in Ireland; and the practice of intimidating by physical means, by riotous and tumultuous assemblies, and so forth, had entirely ceased. The day of an Irish election contest was the greatest day in the year. No crowds ever assembled in the streets, and it was the consequence of the Ballot Act that in Ireland all excitement had passed away from the day of polling, and that electors going to the poll were not interfered with from any source whatever. They were allowed to come and go freely; and if anyone wished to prejudice the chances of a candidate, he could only attempt to do so by interfering with an elector on the way to giving his vote, or during registration. There was nothing that an Irish elector resented so much as being interfered with or talked to when on his way to perform the duty which the Constitution imposed upon him, to register his vote secretly; and he defied anyone to find out from a voter what candidate he had or had not voted for. The secrecy of the Ballot in Ireland was practically unassailable. This stringent clause upon undue influence was no longer necessary; and he would ask the Committee to agree, at all events, to some modification, such as the definition which he proposed, which would be more than amply sufficient to prevent undue influence in Ireland, or in any other part of the United Kingdom, while it would secure the operation of the Act from the probability of the very grave abuses which they feared would result from this clause. The interpretation and the definition which he asked the Committee to agree to was a definition which had been given by a most eminent English Judge; and if it had been sufficient at the time of the Lichfield decision it ought to be sufficient now, when, practically speaking, undue influence was a thing of the past, and the only abuses to be feared and guarded against were bribery and treating, and such other grosser forms of action which interfered with freedom of election.

Amendment proposed,

In page 1, line 26, to leave out the words "and bribery, undue influence," in order to insert "using any violence, or threatening any damage, or resorting to any fraudulent contrivance to restrain the liberty of a voter, so as to compel him or frighten him into voting, or abstaining from voting otherwise than as he freely wills, and also bribery."—(*Mr. Parnell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he very much regretted that it was quite impossible to accept the Amendment; and he thought that when hon. Members saw the effect of it they would be disposed to refuse to accept it. This Bill proposed no alteration in the definition of "undue influence." This definition was to be found in the 5th section of the Act of 1854, and the definition in that Act was incorporated even literally in this Bill. The hon. Member for the City of Cork said they must alter the definition, and gave as his reason that no candidate would be liable to the penalties imposed by this Bill except for intimidation. The candidate must have been guilty of undue influence himself. Under the former law he would have been liable to two years' imprisonment; he would now be liable to one year's imprisonment; and, therefore, the penalty was less severe. But it was not a question of increased penalties, but simply of definition. What was the suggestion in favour of this alteration and disturbance of the law? He thought the hon. Member had not correctly apprehended the Judgment of Mr. Justice Willes. If he recollected rightly, Mr. Justice Willes said the offence of undue influence meant so and so; but that was found in the Act, and he was, therefore, only reading the Statute. He was not giving a definition. If, instead of giving that short summary of the law, Mr. Justice Willes had simply taken the Act of 1854, he would have had exactly the definition of what undue influence meant, and that was all that he said. He (the Attorney General) accepted Mr. Justice Willes's definition of the law, when he said the law was to be found in the 5th section of the Act of 1854, and that meant so and so. Was the hon. Member willing to accept it? Mr. Justice Willes was simply an exponent of the Act. As he understood the hon. Member, he did not wish to alter the definition of the Act of 1854 with respect to violence; but he would now strike out the words "injury, harm, or loss," and also "any other manner practises any intimidation." He had taken Mr. Justice Willes's short summary of the Act, and had copied not what was a Judgment from the Bench, but a short summary of the Act of 1854, and thought that the Judge intended to make the law something different from the Statute. The Judge had only to administer the Statute Law, and say the Statute meant so and so; and he could not be a better exponent than the law itself; but the hon. Member had simply copied these words, and rather wrongly read the Statute of 1854. By taking the proposed words, and leaving out "injury, harm, or loss" and "any other manner practises any intimidation," he confined the absolute damage to the individual. What would that mean? It would give entire licence to all spiritual intimidation. That would, he believed, be the result; and did the Committee wish, after all the decisions that had been given by learned and able Judges, that that which would not be held to be damage under the law should be struck out of the definition of undue influence? That was a change that had not been asked for. Where was the evil? Only in the Galway case, and one other case, had the Judges expounded the law in Ireland in respect to undue influence. Did the hon. Member say that this should be changed on account of a miscarriage of justice? He had never heard that mooted. So far as the definition was concerned, this Bill sought to maintain the law, and said they must strike at the worst form of intimidation; but the Amendment would allow free licence. It was doubtful whether, under that Amendment, if a landlord gave notice to a tenant to quit, that would not come under the Bill. [Mr. PARNELL: That would not be intimidation.] He very much doubted that, for if a landlord gave notice and threatened a tenant with the loss of his holding there might be held to have been intimidation. Because a landlord gave notice to his tenant to quit he would simply say "go," and that would be intimidation. But that did not come within this definition at all. [Mr. PARNELL: There would be threatened damage.] Where was the threat? The hon. Member had fallen into a mistake, for Mr. Justice Willes was speaking of a particular case then before him, and was only carrying out the law. He thought he could give a good many instances, if it were necessary, to show that undue influence was exercised. Although the hon. Member said this provision was not wanted in Ireland, he knew that Irish electors had gone through a great deal in the way of a far more serious intimidation. This was the first time that a complaint had been made of the interpretation of undue influence, or of Judges having caused injury to electors or candidates; and he, therefore, could not assent to the Amendment.

MR. LABOUCHERE said, he was rather surprised at some of the Attorney General's observations. The hon. and learned Gentleman seemed to think that because this was the first time that a complaint had been made no attention was to be paid to it. Of course, there must be a first time; and when the Treasury Bench complained of Obstruction they should recollect that a great deal of that Obstruction arose from their insisting on matters being raised, not only once, but 50 times, before redress was granted. The hon. and learned Gentleman said there need be no alteration in the definition of undue influence, because that definition was contained in the Act of 1854; but since that time the Ballot Act had been passed. That Act was specifically passed to enable voters to vote without the risk of being unduly influenced. Therefore, *primâ facie*, it seemed to him that as that Act had been passed, and as other means had been provided to prevent undue influence, the definition of undue influence ought to be limited as far as possible. What did the hon. Member for the City of Cork (Mr. Parnell) propose? He proposed to adopt the words of Mr. Justice Willes, and to that the Attorney General replied that Mr. Justice Willes had merely said that under the Act undue influence meant so-and-so. The hon. Member wanted this definition, because he was not quite sure that the Irish Judges would take the same view as Mr. Justice Willes. He (Mr. Labouchere) wished to speak with the greatest respect of the Irish Judges; but they were not precisely chosen from the National Party in Ireland. Politics ran exceedingly high in Ireland; and, therefore, a great deal more might be left to English Judges, in the way of definition and interpretation, than to Irish Judges. That, he thought, was a fair reason for this Amendment. Any speaker for a candidate became his agent, as the hon. Member opposite had pointed out.

THE ATTORNEY GENERAL (Sir HENRY JAMES): Every speaker speaks for his candidate.

MR. PARNELL: Irish Judges have always held them to be agents.

MR. LABOUCHERE said, Irish Judges had always held that to be so, and that showed the necessity of restraining them. He had looked in vain in divers Acts for a definition of the word "agent." He heard a great deal about agents, and he gathered that if an agent did this or that the candidate would be held responsible; but there was no definition of "agent" to be found; and before Members or candidates made themselves liable for agents he should like the Attorney General to say what "agent" meant. It would be most monstrous that an election should be voided because a speaker at a meeting was held to be an agent; and yet Gentlemen from Ireland said this was done in Ireland to this very day. He did not refer to any particular case. [Mr. O'DONNELL: The two Galway cases.] Irish Gentlemen could give any number of cases; and, that being so, he thought it was most desirable that the Attorney General should make this concession. Ireland was not England; but the Bill proposed to apply to Ireland this severe provision. This might be a small matter, so far as the law was concerned; but it was a most important matter, so far as elections were concerned; and when Irish Gentlemen, representing Irish feeling, asked that this concession should be made, he must say that if he were an Irish Member he should make a great fight before he submitted to the Bill as it now stood.

MR. MARUM said, all that his hon. Friend proposed was to substitute a clear definition for the naked words "undue influence" in the Bill; but it was not so much the duty of the hon. Member to propose that definition as for the Attorney General to formulate a definition in a Bill of this kind. What the hon. Member proposed was to limit and cut down the discretion of the Judges; and he wished to introduce a definition by which any candidate would be enabled to forward any matters of fact, and to limit the discretion of the Judges, so that they should not, in their Judgments, mix up facts and law together. The hon. Member did not propose to alter the law as to undue influence; and if the Attorney General objected to this definition, the hon. Member would be very happy to receive any suggestion from the Attorney General that would practically meet his view. That was what had been put forward, and he thought it was the duty of the Attorney General to propose some definition of his own if he objected to the Amendment.

Sir R. ASSHETON CROSS said, he must object entirely to the observations of the hon. Member for Northampton (Mr. Labouchere) as to the Ballot Act. If the offence of undue influence was not to be checked by this Bill, they had better throw the Bill out altogether. He thought the error into which the hon. Member for the City of Cork had fallen was this—as he understood, the Government only sought to perpetuate the definition of undue influence which had been found to work well ever since the Act of 1854. No evil had resulted from that Act, and no cases had been brought forward in which that Act had caused wrong or injury; but the hon. Member for the City of Cork wished to sweep away that definition, and substitute the statement of a Judge in a particular case, in which he had to apply the law as it was in the Act of 1854 to particular facts. That, surely, would be the wrong course to take. What fell from Mr. Justice Willes might have been right as to the particular facts before him; but if they were to destroy the definition in the Statute, and take words which a Judge had applied to one set of facts, and apply them to another set of facts, what would become of the Act of 1854? Now, the hon. Member had said that politics ran very high in Ireland, and that Judges could not be trusted. The hon. Member wanted to alter the definition of undue influence; but it was questionable whether he could improve upon the definition found in the Act of 1854. There was one matter which fell from the hon. Gentleman the Member for the City of Cork (Mr. Parnell) with which he (Sir R. Assheton Cross) sympathized—namely, the matter of agency. That question would more properly arise on Clause 4, and when they arrived at that clause he hoped there would take place an extremely careful discussion; because agency was really one of the most vital matters with which they had to deal. He entirely agreed that the Law of Agency, at the present moment, was very unsatisfactory, and that it would take a great deal of care and consideration to see whether they could not make some definition of agency which would be much more satisfactory than the result of the decisions of Judges, which had been so much at variance with each other, and which had been so stretched from time to time that a candidate really did not know when he was safe. That, however, was nothing to do with the question now before them. He hoped the Committee would allow the existing definition of undue influence to remain as it was found in the Act of 1854. No instances had been adduced to the Committee in which this definition had worked anything like injustice; and until it was found that injustice was done he thought it well to stand by the present definition.

Mr. MACFARLANE said, it had been stated by some hon. Gentlemen from Ireland—and it had not been contradicted—that the definition of undue influence by Irish Judges was different to that of English Judges. Now, it was perfectly notorious that there were a considerable number of people in Ireland who exercised undue influence. If the hon. Gentleman the Member for the City of Cork (Mr. Parnell) wrote a letter to a constituency, or went down to that constituency and made a speech in favour of a political candidate, it would be open—as he (Mr. Macfarlane) understood it—for an Irish Judge to declare that undue influence had been used by the hon. Gentleman the Member for the City of Cork in the election, and that, therefore, the candidate in whose favour the hon. Gentleman had intervened must be unseated. It was quite possible, too, that the hon. Gentleman the Member for the City of Cork might become liable himself. If it pleased an Irish Judge so to read the Act, he (Mr. Macfarlane) did not see that there was any appeal from his Judgment. A Judge's decision in that matter was final; and, therefore, without any appeal, it was possible for the hon. Gentleman the Member for the City of Cork to be excluded from the House of Commons for 10 years. It was perfectly notorious in this country and in the House that a Judgment which would exclude the hon. Gentleman would meet with general approval; indeed, it was quite possible that a Judge who would lend himself to such a proceeding would be rewarded with a Peerage, and possibly with a pension for two lives, or a lump sum, which was more or less fashionable just now. He was sure there was no one in the

House who wished to perpetuate undue influence; all they wanted to do was to provide against undue influence being strained for political purposes. Undue influence was an elastic term; but the Committee had been told that the law was administered in precisely the same fashion in Ireland as in England. They had, however, every reason to believe that the contrary was the case. As he understood the Bill, it was open to a Judge to turn out, upon any opinion he might choose to form as to what constituted undue influence, any candidate he chose. He (Mr. Macfarlane) should propose, if no one else did, that in case a candidate was unseated for undue influence, and not for corrupt practices, there should be an appeal to the whole Bench of Judges.

Mr. O'SHEA said, he thought the House showed a considerable amount of cowardice in not making very clear definitions of the laws they passed. The Attorney General had said that the crime of undue influence was clearly laid down in the Act of 1854. But a great deal had happened since 1854, and they had now to look at the circumstances of 1883 instead of 1854. However moderate a man's opinions might be, however right-minded a view he might take of affairs in Ireland, there was no doubt that the Judges in Ireland, high and low, took a very different view of matters to that taken by English Judges. There had been an example of that very recently. He had had the opportunity, over and over again, of discussing the question, which created a good deal of interest lately in Ireland, with some very eminent members of the English Bar; and every one had declared that the decision under which the hon. Member for Westmeath (Mr. Harrington) was sent to gaol would not have been possible in this country. Now, the Attorney General just now said that it would be impossible that a speaker in favour of a candidate could, *ipso facto*, be considered an agent. He was astonished to hear the hon. and learned Gentleman say that; because in the case connected with a borough which the hon. and learned Gentleman himself knew best (Taunton) he found that Mr. Justice Blackburn said that if a person was in any way allowed by a candidate to try to secure his election and to act for him, there was some evidence to show that he was an agent. [The Attorney General: Hear, hear!] The hon. and learned Gentleman naturally cheered that; but he (Mr. O'Shea) thought there were many Judges who might take that as a precedent for saying that a man, who, with the consent of a candidate, tried to carry on the election, who acted and spoke for him, might be considered an agent. It was all very well for the right hon. Gentleman opposite (Sir R. Assheton Cross) to say that they could look into the question of agency when they got to the 4th clause. The matter was too important to be thrown over to another clause; they ought to look at the Bill as it stood, and not to be satisfied with the assurance of the right hon. Gentleman the Member for South-West Lancashire that they would be able to limit the 4th clause.

Dr. COMMINS said, he thought the Amendment was a very necessary one, and that it corrected what was a very great flaw in the definition introduced in the Act of 1854. In the Act of 1854 the Attorney General told them that the words were—

> "Whoever shall threaten or make use of, or threaten to make use of, any force, violence, or restraint, or inflict or threaten the infliction, by himself or through any other person, of any injury, damage, harm, or loss, or in any other manner practise intimidation."

Now, the introduction of the words, "or in any other manner practises intimidation," was the reason why he (Dr. Commins) and his hon. Friends wished the Attorney General to tell them what intimidation was. The section did not tell them what intimidation was. The English Judges had interpreted the Act in one way, because they had all followed, without a single exception, the interpretation of undue influence given by Mr. Justice Willes in the Lichfield case. Intimidation, according to the English Judges, could only be practised upon a man through his person, property, and character, and in no other sense whatever. But the Irish Judges had invented a kind of intimidation which they brought within this section, which kind of intimidation was never contemplated by the section, which kind of intimidation no English Judge had ever recognized, and this the Irish Judges called "spiritual intimidation." Now, spiritual intimidation was appealing to a man's superstition; and, therefore, it was necessary that there should be a definition of the word "superstition." He would like to know what two Judges would agree on the interpretation of this word? Mr. Justice Willes, at Lichfield, defined what was undue influence; and the words which he used were the words which the hon. Member for the City of Cork (Mr. Parnell) would substitute for the vague words which left the whole matter in doubt. Mr. Justice Willes said—

> "It is the using of any violence, or threatening any damage, or resorting to any fraudulent contrivance to restrain the liberty of the voter, so as to compel him or frighten him into voting, or abstaining from voting, otherwise than as he freely wills."

That was not an interpretation of the law as applied to a particular state of facts then before the Judge, as the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) would have them believe; but it was, as Mr. Justice Willes himself said, a proper definition of undue influence dealt with in the 5th section. The Committee would bear in mind that not long since an attempt was made to extract from the Government a definition of intimidation. They refused to give it; and they did not now give it. They left the matter completely in a state of vagueness, and the Judges would have it completely in their power to say what undue influence was. What was wanted was, that the hands of the Government should be tied, to have the meaning of the words "undue influence" laid down by the Judges in an intelligible way, in such a way as was laid down by Mr. Justice Willes. He and his hon. Friends were willing to accept the definition given by Mr. Justice Willes, because they wished to prevent the possibility of a man being liable for the penalties provided by this Act for the use of legitimate influence.

Mr. O'DONNELL confessed he was surprised to hear the Attorney General doubt whether priests, who supported a candidate in Ireland, would be held to be his agents. He could not look for or desire a more remarkable example of the want of knowledge on Irish affairs than was comprised in the drafting of this Bill, and the statement of the hon. and learned Attorney General.

The ATTORNEY GENERAL (Sir Henry James): I did not say a word about it.

Mr. O'DONNELL certainly understood the hon. and learned Gentleman to say that.

The ATTORNEY GENERAL (Sir Henry James) said, he referred to persons who spoke on behalf of candidates.

Mr. O'DONNELL said, in that very useful little work—*Martin's Law of Elections*—it was clearly laid down that a congregation of persons might, by their combinative force, constitute agency, though no one alone might be an agent. The examples given of what might constitute agency were being a member of the Committee; canvassing alone, with or without a convassing book; canvassing in company; attending meetings, and speaking on behalf of a candidate.

The ATTORNEY GENERAL (Sir Henry James) asked the hon. Gentleman to read the remainder of the sentence. He thought it would be found that it was laid down that those cases might be received as evidence.

Mr. O'DONNELL said, he thought the whole question of agency was very much one of evidence. It was further laid down that a candidate was responsible generally for the deeds of those who, to his knowledge, for the purpose of promoting his election, canvassed or did such other acts as might tend to promote his election, provided that the candidate, or his authorized agents, had responsible knowledge that those persons were so acting with that object. That was laid down in the Wakefield case, and approved by Judge Lawson in the Galway case. Furthermore, they were told that no one could lay down a precise rule as to what would constitute evidence of being an agent. That being the state of the case with regard to agents in general, what must be the case in regard to alleged agency in a matter of alleged undue influence? The position of a candidate under the added penalties of the Government Bill was anything but desirable. It was not enough, in the section of the Act of 1854, according to the Attorney General, to say that—

> "Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of, or threaten to make use of, any force, violence, or restraint, or inflict, or threaten the infliction, by himself or through any other person of any inquiry, damage, harm, or loss."

All that was not sufficient enumeration

of the things to be prohibited; but the Attorney General must insist upon the retention of the words which made a person guilty who "in any other manner practises intimidation." The simple matter of fact was that the safety of the candidates, under such a combination of dangers, naturally depended upon the Judge who had to try his case. And in Ireland it depended very much upon the political complexion of the Judge. It was contended that these words should be retained in order to cover spiritual intimidation. Now punishment for spiritual intimidation, or alleged spiritual intimidation, down to the present time, had been simply an exhibition of sectarian prejudice enlisted in the service of political predisposition. It was notorious that at elections the clergymen of the Established Church of England used their spiritual privileges to advance the interests of their own particular candidate. It was also notorious that the Dissenting clergymen in Scotland and Wales, and elsewhere, certainly used their spiritual privileges with very great vehemence at times of elections; and he was sure that a very considerable amount of practical excommunication was enforced in a good many quarters of the country outside of the Roman Catholic Church. He took exception to the statement that there was any necessity in Ireland for restraining, by a legal tribunal, alleged exercise of spiritual intimidation by the Roman Catholic clergy. There was only one—and it was a very safe and sure one—there was only one real check upon the exercise of spiritual intimidation by the Catholic clergy, and that was the sound sense and the knowledge of their religion possessed by the Roman Catholic laity. The laity knew exactly when a clergyman was stepping beyond the lines of his religious powers. In Ireland the charge of undue influence, based upon the participation of clergymen in elections, had simply been used in the landlord interest, by landlord Judges, and had been approved, down to the present time, by landlord partizans in that House. Here was undue influence on the part of a Catholic clergyman. He must not hold out hopes of reward here or hereafter, nor must he expose the party to any religious disability, or denounce his vote for any particular candidate as a sin. That was the law of the land, and that was "undue influence." Why, it entirely depended upon whom the political candidate might be, whether or not it was a sin to vote for him, just as in the same way it depended upon whom the political candidate might be, whether or not it was loyal or disloyal to vote for him. The matter lay not in the opinion of the minister of religion, but in the character of the candidate. Take, for example, a candidate in favour of a Compulsory Atheistic Education Code. Unquestionably, it would be the duty of the religious authorities in a constituency to state the law of the Church with regard to any man who voted for a supporter of compulsory Atheistic education; and all the laws in Christendom and out of it could not alter that fact. If this provision as to undue influence, to this undefined extent, were perpetuated, they would have more liberal scandals in the county of Galway, where not only priests and Bishops were alleged to have been agents of his hon. and gallant Friend the Member for the county, but his hon. Friend was disqualified on the ground of the agency of these reverend and right reverend gentlemen. In the borough of Galway clergymen who had supported him (Mr. O'Donnell), in the exercise of their Constitutional rights, were not only held to be his agents, but some of them were subjected to special disabilities by the decision of a Judge, who had happened to accept bouquets and other presents from the family of the opposing candidate. Then the hon. and learned Gentleman the Attorney General had stated to the Committee that this was the first time at which a complaint had been made in the House of the manner in which the term "undue influence" had been understood by the Irish Judges, and that it was the first time that a complaint had been made in the House of the manner in which clerical supporters of candidates had been unduly condemned by the Irish Judges. But the political memory of the hon. and learned Gentleman seemed to be as short as his legal memory appeared to be a few moments ago, on the subject of what constituted agency. It was only as far back as the Parliaments of 1878 and 1862 that the late Leader of the Irish Party, the lamented Mr. Butt, expressly brought forward in that House a complaint as to the conduct of Mr. Justice Keogh, and showed the way in which he had indulged his political feelings against the clerical supporters of the Party, and the influence which that gentleman exerted against those who were opposed to the terrorism of the confederate landlords of the county of Galway. Again, in the case of the borough of Galway, complaints had been repeatedly made in that House as to the conduct of Mr. Justice Lawson; and yet they were told that this was the first time that any such complaint had been made. It was a singular fact that one of the greatest and most notorious grievances of Irish candidates which had been rung into the ears of the House for the last 20 years should now be represented by the Minister in charge of the Bill as perfectly new. But was not that statement of the Attorney General an admission that all their complaints against the improper interpretation of the term "undue influence" had hitherto passed unheeded; and was it not a warning to the Irish Members that they should not be satisfied with mere complaints in the present case, but insist, to the utmost of their ability, upon a substantial emendation of the law? The Attorney General had a legal mind. He was only able to see what was written in an Act of Parliament. It was, therefore, evident that they should introduce this definition into the Bill, in order that it might appear on the Statute Book. The questions, protests, and debates that had taken place in the House against the use made by the Irish Judges of undue influence had been clearly thrown away; and he called upon his hon. Friends to fight this portion of the Bill, because upon the right interpretation of the law depended the return of, perhaps, the most important Members of the Irish Party at the next General Election. A Judge capable of inventing a meeting, and of inventing the presence of a candidate at the invented meeting—Judge Lawson, for instance—would be capable of using the powers conferred upon him by the clause relating to undue influence against the hon. Member for the City of Cork (Mr. Parnell), or the hon. Member for Westmeath (Mr. Harrington), or any other Member of the popular Party in Ireland against whom the political prejudices of the learned Judge were stronger than a common-sense balance of judicial impartiality should permit. He should be glad to furnish the Attorney General with proofs as to the charge in the case of Judge Lawson from the evidence published in the Blue Books if the hon. and learned Gentleman were unable to grasp a confirmation of it in the statements which had been made. It was impossible that the Government could be asked to concede a special day for the purpose of considering the *bona fides* and the substantiality of the charges brought against each Irish Judge; but he asked them to take into consideration the fact that these charges were made by the body of popular Irish Members in the full hearing of the Committee, and with the support of the entire body of the Irish people. If that were not considered good evidence in the House of Commons, it was perilously strong evidence for anybody that wished to govern Ireland successfully.

Mr. HARRINGTON said, he rose to support the Amendment of his hon. Friend the Member for the City of Cork. It seemed to him that the reasons alleged by the Attorney General for refusing to accept that Amendment were such as hardly to meet with the approval of the House of Commons. The hon. and learned Gentleman had taken up the definition proposed by his hon. Friend, and, having referred to the terms of the Act of 1854, refused to accept it, apparently on no other ground than that it was the definition of Mr. Justice Willes. But if the hon. Member for the City of Cork had, without consulting that definition, himself drawn up the definition which he proposed to the Committee, he failed to see where would be the argument of the Attorney General, or the argument of the late Home Secretary (Sir R. Assheton Cross). But to strengthen the case of his hon. Friends against the Bill, which gave such absolute and unlimited powers into the hands of partizan Judges in Ireland, the hon. Member for the City of Cork had taken the definition of undue influence from an eminent legal authority in England—a definition of long standing, and one which had not been contested to any extent, at least in this country. The importance of the Amendment before the Committee, as regarded freedom of election in Ireland, could not be overrated. In England the law was justly and fairly administered, because it was in the hands of Judges who respected their position, and who would not condescend to make political partizans of themselves in interpreting provisions of this kind. But the contrary was the case in Ireland, and the constitution of the Irish Bench was the very point which strengthened Irish opposition to the Bill in the form in which it then stood. Instead of the Irish Judges standing between political candidates at the different elections they were amongst the strongest political partizans in the country; and if they saw a reason for putting that political partizanship into force against the popular candidates in Ireland, they were under a strong temptation to do so, for they knew that the National Party in Ireland had been the means of depriving them of the position which they once occupied, and that the action which they proposed to themselves had been lessened by the efforts of the popular Party, who would be able, through their Representatives, to strike a further blow at it. The hon. Member for Clare (Mr. O'Shea) had referred to a decision in a case in which he (Mr. Harrington) was interested. He had no wish to dwell on the matter at length, and should certainly not have alluded to it at all, were it not that it had a considerable bearing on the question before the Committee. The Judge who presided at the trial—a gentleman of prominent position in his way, a County Court Judge of four Irish counties, and who had described himself as ruling over a dominion extending from the Irish Sea to the Shannon—gave a definition of agitation; and to strengthen the case in favour of his decision he further defined it to be crime, murder, and outrage. When it was pointed out to him that the speech for which he was sending him (Mr. Harrington) to gaol was delivered in support of a resolution condemning crime and outrage, the Judge, taking up one sentence in the speech, went on to say that his having called upon the farmers not to be apathetic was in itself intimidation. If those words had been applied to a small section of the farming community present at the meeting, and the Judge had held that it was intimidation in respect of them, there might have been some excuse for his decision; but, as it was, he held that intimidation had been used towards the farmers of the whole county of Westmeath. Not one vote had been influenced by the observations he made use of, which were intended to consolidate a union between the farmers and labourers of the county; but in the face of that the Judge endeavoured to make it appear that he was sowing dissension. He would remind the Committee that the Bill aimed at injuring the position of independent Members in that House. It provided a very elaborate machinery against intimidation; but he did not see anything in it to prevent bribery on the part of the two great political Parties, who from time to time held the Government of this country, which could not be easily broken. To illustrate the position which some of the Irish Judges held, he would remind the Committee of a fact which was well known to most hon. Members present, that so great was the scandal of bribery in Ireland that one of the Divisions of the Courts of Justice in Dublin was known as the Mallow Division. Those were the men whose power they wished to limit by some such Amendment as that proposed by his hon. Friend. If the Irish Judges were to be allowed to interpret the law as laid down in the Act of 1854, which certainly might now well be altered, considering the altered circumstances of the times, and the immense changes effected in the country by the operation of the Ballot Act—if they were to have that absolute power in the administration of the law which this Bill proposed to confer upon them, he said that the House of Commons would have again and again to refer to the law which they were now passing; and that, instead of several years elapsing without grievances being brought forward, fresh grievances would be laid before the House of Commons every year in connection with the administration of the law in Ireland. The Irish Judges could not but be partizans, because they were promoted for political services. It was only recently that an instance had occurred of one of the Judges in Ireland—a supporter of the Liberal Ministry—being transferred from a subordinate to a more exalted position on the Bench; and it was unreasonable to expect that men having such influence in the administration of the law could exercise fairly and justly the terrible power which this Act would confer upon them if passed in its present form.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, the hon.

Member for the City of Cork (Mr. Parnell) wished to eliminate the words "undue influence" from the clause. But the term "undue influence," which was, after the most careful thought, introduced into the Act of 1854, during the 29 years which had elapsed since that Act was passed, had been criticized wholly in the sense of approval by the acute minds which had been brought to bear upon it. It was undoubtedly difficult to give a definition of undue influence; the forms of it were too numerous to admit of that, and it was to be met with in the affairs of life, as well as in Parliamentary matters. It had always been understood by the Judges that nothing was more difficult of definition, and they had refrained from defining it, because it was felt that so great was the ingenuity of men inclined to fraud that it would be prejudicial to do so. But, while the wording of the Act of 1854 had stood the test of time and criticism, that which it was proposed to substitute for it was never intended for a definition, and was obviously no definition at all. If the definition proposed by the hon. Member for the City of Cork were substituted, many forms of undue influence would absolutely elude it. The hon. Member mentioned as a fact that, in some instances, there had been cases of undue clerical influence in Ireland; and he would point out that cases of that kind could not be met by this so-called definition. Further, in the Judgment of Mr. Justice Willes, in which he used the sentence relied upon by the hon. Member as being a definition, he used words which showed that no definition was intended, and that it was merely a judicial observation on the facts of the case before him. It was plain, then, that the definition which the hon. Member sought to introduce was no definition at all. Now, with reference to the views of the law that would be laid down by the Irish Judges, he begged to give the statements that had been made on that subject an unqualified denial. Of course, there might be differences of opinion formed on the facts in particular cases; but the law itself was, and always had been, expounded in the same way in the two countries. He would remind hon. Members that if there were cases where elections had been set aside on the ground of undue clerical influence, there had been far more where that ground had been strongly pressed, and where the Judges had declined to hold that it amounted to an illegal practice. They had a series of decisions applicable alike to both countries, bound up in volumes and referred to as authorities; and for that they were asked to substitute what was no definition, and which would leave them very much worse than they were before. An observation had been made by the hon. Member for Northampton (Mr. Labouchere) in consequence of an interjectional remark from an hon. Member on the other side of the House, to the effect that it was the fact of a man's speaking at a candidate's meeting which constituted him an agent. That statement he (the Attorney General for Ireland) had challenged at the time, and that challenge he now repeated. It had been held that, in deciding what was agency, the Judge could not exclude from his mind the fact of a person speaking at a meeting in the presence of the candidate; but as for the delivery of a speech at a candidate's meeting constituting agency, there was no decision to that effect in Ireland, and he was tolerably acquainted with Election Law in England, but knew of no such decision here. It was absurd to say that the fact of a man speaking at a candidate's meeting should be left out of sight when they were considering whether or not he was a candidate's agent. Whilst, of course, the difficulty of defining undue influence was one of the matters which must make them cautious in the definition of agency, yet the definition of agency was one of those matters which must be disposed of by itself. As to the Amendment, it was one which should not be adopted, because it would commit the Committee to that which was no definition, and which was never intended as one.

Mr. H. H. FOWLER said, that the Attorney General for Ireland, in showing that the Amendment did not cover all the cases of intimidation which might arise, had not answered the gist of the objection of the hon. Member for the City of Cork (Mr. Parnell), which was that, under the existing definition of undue influence, certain acts which, in this country, would not be regarded as undue influence, would, under the circumstances of Ireland, be so regarded. The Committee ought to look at this matter judicially; and hon. Members on both sides of the House should endeavour to put themselves in the position of the Irish Representatives, and try to feel as those Gentlemen felt in this matter. It was perfectly hollow for anyone to attempt to argue that the condition of England and Ireland was identical in these matters. The conditions of political and religious life in England and Ireland were totally separate and distinct. He was not going to attack the Irish Judges; in fact, he looked on this matter quite as though it were a mathematical problem; but, in considering and deciding these cases, feelings and arguments which would have no place or existence in this country were—he would not say whether rightly or wrongly—all-powerful in Ireland. They could not shut their eyes to the strong religious difficulties which at present ran through, and had run through, all Irish questions for centuries. They had the decision which had been quoted by the hon. and learned Member for Roscommon (Mr. Commins), in which an attempt was made to define an appeal to a man's superstition. Now, just let them consider what that definition amounted to. A Protestant Judge from the North of Ireland might have to go amongst the Catholics in the South, and *vice versâ*, and give a decision upon some point of superstition; and in conjunction with that they had to take into consideration the present excited condition of Irish political life. It was idle for the House of Commons to shut their eyes to the fact that the majority of the Irish people sympathized with the aims and views of the hon. Member for the City of Cork, and that a minority totally disagreed with them. This conflict ran through every section of Irish life. Then they must also recognize the political antagonism which existed in the House between the Gentlemen who represented Ireland—or certainly parts of Ireland—and those Gentlemen who, in the ordinary course of affairs, were promoted to the Irish Bench. The state of feeling was such as did not exist between the English Members, on whatever side they sat, and the heads of the Legal Profession in England. Whether rightly or wrongly, however, that feeling did exist in Ireland. The Irish Members said that, looking at all these facts—looking at their strong religious differences, at their strong political differences, and at the unquestioned antagonism which existed between the two political Parties—was it just, right, or fair, that the seat of an Irish Member of Parliament should be left absolutely in the discretion of a partizan Judge, who might, on some ground of undue influence, declare an election to be void? Such an act on the part of such a Judge might be a fair one; but what would be its effect on the minds of the Irish people? What did Irish Members ask them to do? They did not ask the Committee to strike undue influence or intimidation out of the Bill, and not to deal with the cases mentioned by the hon. and learned Attorney General, which cases, with due deference to the hon. and learned Gentleman, it might be pointed out had been amply dealt with in the Ballot Act. But they did ask the Committee to listen to their case. They had had announcements as to the doctrine of agency from the hon. and learned Gentleman the head of the English Bar, and from the right hon. and learned Gentleman at the head of the Irish Bar. They had heard it stated by these Gentlemen that every person who went down to a constituency and worked for a candidate and spoke for him was an agent. [The ATTORNEY GENERAL (Sir Henry James): No, no!] He was glad to find that speaking for a candidate did not make the speaker the agent of the candidate. He was in the recollection of the Committee whether the Attorney General did not say that speaking for the candidate rendered the speaker his agent. [Mr. WARTON: Clearly.] He did not wish to misrepresent the hon. and learned Gentleman in any way. He had always understood—and he was glad to find that he was wrong—that taking so prominent a part in an election as to speak for a candidate rendered the speaker that candidate's agent, and that if the speaker subsequently gave an elector a glass of wine that would constitute treating. When they came to deal with the definition of agency, and how far it should go, would be the proper time to discuss that question however. What he wished to know—whether the doctrine of agency was carried to the extraordinary extent to which the English Judges had carried it, or whether it were wisely and properly limited as the Attorney General would limit it—was whether in Ireland a candidate would be held responsible for what an excited and foolish and injudicious man might say at one of his meetings? He agreed with hon. Gentlemen that the definition was not exhaustive and not sufficient, and did not cover the whole of the ground. Why could not the Government and the Committee say—"We will try and meet you by putting in words that will prevent the possibility of such a contention before an Election Judge as that we are now dealing with. We do not want to put you at the mercy of a construction of an Act of Parliament, which may be an injustice to you, and may produce in the minds of the Irish people the feeling that an injustice has been committed." Let them say—"We will put in this Act such words as will exclude from the definition of undue influence legitimate agitation." If the Government would do this, they would satisfy the feelings and meet the wishes of hon. Members on both sides of the House, and would be rendering some small justice to Ireland. If they were to say *non possumus* to everything the Irish Members asked, and to say the conditions of Irish and English life were precisely the same, they would only be rendering the Irish problem more difficult of solution, causing for themselves more trouble, and hurrying on what many Members on the Ministerial side of the House, he was sure, did not wish to see.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the hon. Member had advanced the simple proposition that a man speaking at a meeting for a candidate became that candidate's agent. From that proposition he (the Attorney General) entirely dissented. The hon. Member had accredited him with having said that a person who was sent down to a constituency to work for a candidate and speak for him was not an agent; but he had never made any such statement. He had never said anything about a person being sent down and working for a candidate. Why did not the hon. Member note the words which had been said; and would he bear in mind the words which he (the Attorney General) really had said on the future stages of the Bill?

MR. GIBSON said, he always listened with attention and interest to whatever fell from the hon. Member for Wolverhampton (Mr. H. H. Fowler). The hon. Member's manner was agreeable, his utterance was extremely clear, and the general conclusions to which he asked them to arrive were often persuasive; but, notwithstanding these very great advantages which the hon. Member had in addressing them, he (Mr. Gibson) was unable to arrive at a clear understanding as to what was the advice which the hon. Member gave them with reference to the particular Amendment before them. The hon. Member admitted that it was inadequate, and, therefore, not to be accepted; and one would think that the natural consequence of that view would be that he would not now be prepared to support the Amendment, whatever he might do on a subsequent stage of the Bill. He (Mr. Gibson) looked on the question as being one which really lay within a very narrow compass. They were dealing not with a new, but with an old law, which had been in force since 1854, and which, considering the intricacy of the subject, had not been found to work with any great difficulty. Now, was it to be suggested as a thing which was desirable, or was it not to be suggested as a thing essentially undesirable, that there should be a difference in this respect between the law of the two countries? Did the hon. Member for Wolverhampton suggest, as a reasonable Member of the House, that he would retain the Act of 1854, with its definition of undue influence for England and Scotland, and manufacture some new law for Ireland? [Mr. H. H. FOWLER: No.] The hon. Member, then, agreed with the proposition which underlay the present structure of the Bill, that there was to be the same Electoral Law for the three countries. The Bill proposed to give that by retaining the existing Electoral Law; and it, therefore, had to be pointed out why this law, which had been in operation so long, and had been administered by the Judges of England and Ireland without ever having called for or required amendment, should be altered because Irish Members took some objection to it. The hon. Member for the City of Cork, who was a man of great ingenuity, had framed and presented a definition which he must feel could not be introduced into an Act of Parliament. It had been pointed out from the Treasury Bench, and admitted in the fullest terms by the hon. Member for Wolverhampton, that the hon. Member for the City of Cork, with his study of this question and his interest in presenting a good definition to the Committee, had failed to present one which he (Mr. Gibson) would venture to say found acceptance even in the hon. Member's own mind, or in the minds of those on the other side of the House. who would like to agree with him if they could. They all knew that it was practically impossible to suggest to the House any exhaustive terms which could be regarded as a definition of this subject of undue influence. He (Mr. Gibson) did not think it would be desirable to depart from the existing law, which had not been found to work in an unsatisfactory manner. They must trust the Judges; it was absolutely impossible to escape from facing that proposition. They might carp at them, and suggest that they would prefer one Judge to another to try particular cases; but whether they gave them the existing definition, or sought to manufacture a new one, they must always, in the last resort, trust the Judiciary to decide whether or not a person was guilty of undue influence. For himself, he was not satisfied that it was desirable to make any change in the existing law; therefore, he should vote for the Bill standing in this particular as it was at present. As to the doctrine of agency, he should approach the clause dealing with it with an earnest and anxious desire to consider whether more strictness could not be introduced with reference to this most difficult and intricate subject. He did not say, dogmatically, that he should be able to present to the House words which would readily commend themselves to the acceptance of legal minds in definition of this very difficult subject, which must always be left, to a certain extent, to be acted upon by the particular facts of each case; but none the less should he approach it with an earnest desire to endeavour to prevent some of the consequences which had been found to attach to certain acts in some election cases.

Mr. SEXTON said, the right hon. and learned Gentleman who had just sat down professed to be puzzled as to the nature of the advice given by the hon. Member for Wolverhampton (Mr. H. H. Fowler). He (Mr. Sexton), however, had to thank that hon. Member for his speech, which displayed a rare largeness of political perception, and summed up briefly and clearly the main facts of the political situation in Ireland. The hon. Member had offered some suggestions to the Committee which, if the Committee were wise enough to accept them, would have a good effect, not only in facilitating the progress of the Bill, but upon the general state of feeling between the Members of the House and the different parts of the Kingdom. He could not help thinking that the right hon. and learned Gentleman the Member for the University of Dublin had been easily puzzled as to the meaning of the advice of the hon. Member for Wolverhampton. The hon. Member recommended that the Committee, instead of accepting the slothful counsel of lawyers to abandon the effort to make a definition should continue that effort. Lawyers sometimes spoke in a very cloudy manner; but whenever they came to the subject of definitions they always spoke clearly. They seemed to object to defining anything—they wished to leave everything to the Common Law. They expected to mount the Bench some day, and the absence of definitions was agreeable to them, as it left it open to them to decide cases on their private judgment, without coming into contact with public opinion or Parliament. He maintained, however, that the function and desire of that Assembly ought to be exactly contrary to that. It ought to set itself to endeavour to produce such a definition as would place every candidate, every elector, and every person in the country hereafter outside the whim of any Judge. There was nothing impossible in completing a definition. For two years the House professed to be greatly puzzled as to the definition of intimidation in land movements in Ireland. It was said to be impossible to define intimidation; yet the House passed, in the Prevention of Crime Act, an elaborate clause dealing with it, and that clause was now said by the lawyers of Ireland to have answered its purpose. If it was possible to exhaustively and satisfactorily define that offence, it was equally possible to define the offence of undue influence; and it should be done, unless the lawyers wished to reserve an opportunity to play tricks with the liberty of the public. It had been very interesting to listen to the speech of the right hon. and learned Gentleman the Attorney General for Ireland. He (Mr. Sexton) had been pleased to hear from the right hon. and learned Gentleman that, in his opinion, a person who spoke for a candidate was not an agent. The matter had been somewhat brought into the fog by the verbal legerdemain of the hon. and learned Gentleman who had spoken at the Table (the Attorney General). It was difficult to gather from the hon. and learned Gentleman's two speeches whether, in his view, a man who spoke for a candidate at a meeting was an agent or not; but, however this was, the Judges would not be likely to accept the *dicta* of the hon. and learned Gentleman at the Table of that House. The statement of the Attorney General for Ireland, interesting as it was, was no assurance to him (Mr. Sexton) that the Judges would accept it hereafter. As for the speech of the right hon. and learned Gentleman (Mr. Gibson), he had said, first, that the offence could not be defined; then, that the definition of the hon. Member for the City of Cork was unsatisfactory, and that the definition in the Act should be retained. The right hon. and learned Gentleman had been obliged to admit the authority of the words the hon. Member for the City of Cork had adopted as the terms of his Amendment. The hon. Member (Mr. Parnell) had taken the words from the statement of a learned Judge as eminent as any who had graced the English Bench during the course of the last century—namely, Mr. Justice Willes. The suggestion of the hon. Member for Wolverhampton should be adopted by the hon. Member for the City of Cork, so as to include "corrupt promises or inducements." He (Mr. Sexton) would close by moving that Progress be reported, as it would be impossible for the hon. Member for the City of Cork to act in the spirit of the recommendation of the hon. Member for Wolverhampton without time for consideration. If Progress were reported, the hon. Member for the City of Cork might be able by to-morrow to bring forward a proposal which would settle this matter. Many hon. Members had been in the House since 12 o'clock to-day, having been in attendance on the Grand Committee. They would have to be down again at 12 o'clock to-morrow; and unless the laws of that House were to supersede the laws of Nature his proposal should be adopted.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sexton.*)

THE ATTORNEY GENERAL (Sir HENRY JAMES) urged the Committee to deal with the Amendment before them before reporting Progress. Last year, when the Bill was before the House, they had not heard one word about the definition of undue influence, even from the hon. Member for Wolverhampton (Mr. H. H. Fowler), and nothing had occurred since last year to raise the question. They had now discussed the matter for upwards of two hours, and he would therefore ask that they should be allowed to divide.

MR. O'DONNELL said, he thought the Attorney General had referred a little too often to the fact that this Bill was before the House last year. Of course, in a sense it was before the House; but everyone knew it was not seriously before the House. It did not receive the attention last Session which it was likely to receive this. The Attorney General said the question had been debated by the House for two years, and, therefore, they ought to come to a decision on it; but he (Mr. O'Donnell) would point out that this question of undue influence had been, or ought to have been, under the notice of the Advisers of the Crown since 1854, although they did not seem to have arrived at much conclusion on the subject. The views of the Government had developed with remarkable slowness. The hon. Member for Wolverhampton had stated reasons of the strongest kind—which ought to be accepted by the Committee—for giving further time for the consideration of this important Amendment. Haste, under the circumstances, would be scandalous, and would be irritating in the highest degree to the Irish people; and it was quite evident that some of the English Members, as devoted to Liberal principles as the Government, would consider it disgraceful. He hoped the Government would not endeavour to exercise undue influence upon their supporters, but would consent to have this question carefully considered at a becoming time, and when so many Members were not absent, and when Members would be in a better spirit for considering it. He also hoped that the Attorney General, having had his attention called to the complaints of the Irish people, would, between now and to-morrow, provide some suggestion which would meet with the exigencies of the case. If the hon. and learned Member brought in anything like a tolerable amendment to the law, he could assure him that the Irish Members would not treat it in an attitude of cold indifference, or in any captious spirit, such as had been manifested by the Treasury Bench that evening.

MR. THOMASSON suggested to hon. Members opposite that they would not get a better division than they could have now, and said the question was merely whether any definition of undue influence was necessary? He thought the Committee might very well adopt the Amendment of the hon. Member, and report Progress, and then the Attorney General could consider what further Amendment was necessary.

MR. JUSTIN M'CARTHY pointed out that the leading Members from Ireland were not present.

COLONEL NOLAN said, he thought it unreasonable to expect hon. Members who had been engaged in the House for more than 12 hours, as he and the Attorney General had been, to proceed further now.

MR. ILLINGWORTH said, he thought there was some force in the appeal of hon. Members opposite. He should regret any decision at that moment, because if that decision was adverse it would be against the appeal of the Irish Members on behalf of the great majority of the Irish people. The proposition of the hon. Member for Sligo (Mr. Sexton) was apparently made in a fair spirit; and if the Committee would, in an equally candid spirit, undertake to examine the proposal to-morrow, he was satisfied that the progress of the Bill would not be in the slightest degree retarded. He considered this question as one of primary importance to Ireland; and as Ireland was more affected than any other part of the Kingdom he thought the Committee should adjourn.

THE MARQUESS OF HARTINGTON said, that as hon. Members did not seem disposed to go on to a decision, as he had hoped they would, it was better not to waste any further time.

MR. PARNELL said, he was very glad that the noble Marquess had agreed to report Progress, because he hoped to arrive at some compromise which might take a practical shape. The Attorney General objected to his definition of undue influence, on the ground that it was too limited. He, however, objected to the definition in the Act of 1854, on the ground that it was too wide. To-morrow they might examine the definition in the Act of 1854, and see how much they could give up. Surely the hon. and learned Gentleman had not set his face against yielding any portion of that definition, which was passed before the Ballot Act under very different circumstances to those now existing, and which was certainly not needed now. He must either yield something in regard to the proposed definition, repeal the old definition, and grant a new definition, or else make undue influence an illegal instead of a corrupt practice. Either of those courses would meet the case.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

LORD WOLSELEY'S GRANT BILL.—[BILL 208.]

(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Gladstone.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Chancellor of the Exchequer.*)

MR. R. N. FOWLER said, he had steadily voted for this Bill, and for Lord Alcester's Bill; but he wished to express his regret at the course Lord Wolseley had taken with regard to the Holy Carpet which was sent to Mecca. Lord Wolseley had presented a Memorandum, in which he argued that this was not a religious ceremony, and that the course he took was to pay a tribute of respect not to the Mahomedan religion, but to the Sultan. Lord Wolseley was a man of high authority; but he would venture to put against his opinion the opinion of Sir William Muir, a man equally eminent, though in a different way, who was not only one of their most prominent Indian statesmen, having been Governor of the North-West Provinces and Minister of Finance in India, but who was also a great authority upon this subject, having devoted his leisure to the study of the Mahomedan religion. His *Life of Mahomet* was the best work on the subject. Sir William Muir had written a letter to *The Standard*, in which he contradicted Lord Wolseley; and he submitted that his opinion ought to have more weight than Lord Wolseley's. It seemed to him to be the duty of this country to protest against any sanction being given to the Mahomedan religion. This was still, he hoped, a Christian country, and they ought not to give their sanction to the religion of the false Prophet.

Mr. O'SHEA said, he was sorry that this question had been brought before the House at that late hour. He was astounded to hear the hon. Member quoting the opinion of Sir William Muir, who was a Member of the Indian Council, and had sent round Circulars in favour of the Zenana Mission. When the Queen became Empress of India, it was clearly laid down that she was not to interfere with the religious beliefs of the people of India; and yet the hon. Member cited the opinion upon this subject of a gentleman who sent Circulars round to Members of Parliament in favour of the Zenana Mission.

Motion *agreed to.*

Bill read the third time, and *passed.*

FRIENDLY, &c. SOCIETIES (NOMINATIONS) BILL.—[Bill 117.]

(*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote.*)

COMMITTEE. [*Progress 29th May.*]

Bill *considered* in Committee.

(In the Committee.)

Mr. TOMLINSON asked for some explanation of the proposed reference to the Solicitor to the Treasury?

Mr. COURTNEY said, the object of this clause was to determine who should be the person, in case of intestacy of an illegitimate depositor having no legal representative, to receive the money of the member as his natural representative. That was the regular duty of the Solicitor to the Treasury, who was constantly called upon to determine such questions.

Clauses 2 to 7, inclusive, *amended*, and *agreed to.*

Clause 8 (Payments made by directors under the power above given).

On Motion of Mr. Courtney, the following Amendments were *agreed to*:—In page 3, line 13, leave out "the;" line 13, leave out "of any society;" line 17, after "society," insert "or savings bank."

Clause, as amended, *agreed to.*

Clause 9 (Direction to give notice of interest nominated over £50 to the Commissioners of Inland Revenue).

Amendment proposed,

In page 3, line 24, after "exceeds," insert "after deduction of any moneys payable under the registered or certified rules of such society for the purpose of defraying the funeral expenses of such member the sum of."—(*Mr. Stuart-Wortley.*)

Amendment *agreed to.*

Amendment proposed,

In page 3, line 25, leave out from "shall," to end of sub-section (1), and insert "before making payment thereof to a nominee or otherwise, require production of a duly stamped receipt for the succession or legacy duty payable thereon, or a letter, or a certificate from the Commissioners of Inland Revenue stating that none such is payable."—(*Mr. Courtney.*)

Amendment *agreed to.*

Amendment proposed, in page 3, line 33, leave out "nominated or."—(*Mr. Courtney.*)

Amendment *agreed to.*

Amendment proposed,

In page 3, line 36, at end of sub-section (2), insert "and the directors shall be at liberty before making such payment to require satisfactory evidence that the total personal estate of the deceased, including the sum in question, does not after deduction of debts and funeral expenses exceed the value of one hundred pounds."—(*Mr. Courtney.*)

Amendment *agreed to.*

Amendment proposed, in page 3, line 37, leave out sub-section (3).—(*Mr. Courtney.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 10 (Notices) *agreed to,*

Amendment proposed, in page 2, leave out Clause 6, and insert the following Clause:—

(Provisions in case of intestacy and no nomination).

"If any member of a registered trade union, entitled from the funds thereof to a sum not exceeding one hundred pounds, dies intestate and without having made any nomination which remains unrevoked at his death, such sum shall be payable, without letters of administration, to the person who appears to a majority of the trustees, upon such evidence as they may deem satisfactory, to be entitled by Law to receive the same."—(*Mr. Courtney.*)

Clause read a second time, and *added* to the Bill.

Bill *reported;* as amended, to be considered upon *Thursday* next, and to be *printed.* [Bill 228.]

SURREY (TRIAL OF CAUSES) BILL.

(*Mr. Warton, Captain Aylmer.*)

[BILL 65.] SECOND READING.

Order read, for resuming Adjourned Debate on Amendment on Second Reading [13th June].

MR. WARTON said, it would be in the recollection of some hon. Members that yesterday evening——

MR. SPEAKER: There is an Amendment to this Order; and, therefore, at this hour (1.40) it cannot be taken.

MR. WARTON said, he would, in that case, put the Bill down for the 4th of July.

MR. MONK said, the Amendment was that the Order be discharged. Was the hon. and learned Member for Bridport (Mr. Warton) in Order in moving that the Bill be postponed till the 4th of July, when there was such an Amendment upon the Paper?

MR. SPEAKER: The Amendment of the hon. Member for Gloucester (Mr. Monk) is an Amendment to an Order of the Day; and, therefore, it brings into operation the Rule with regard to Opposed Business. The Bill cannot be taken after half-past 12.

Adjourned Debate *further adjourned* till *Wednesday* 4th July.

MOTION.

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 6) BILL.

On Motion of Mr. JOHN HOLMS, Bill for confirming certain Provisional Orders made by the Board of Trade, under "The Electric Lighting Act, 1882," relating to Limehouse, Poplar, Richmond (Surrey), Rotherhithe, Saint Giles's (Pilsen Joel), Saint Olave, Saint Saviour's (Southwark), Shoreditch, and Wednesbury and Darlaston, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented*, and read the first time. [Bill 227.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 15*th June*, 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Lord Alcester's Grant * (95); Lord Wolseley's Grant * (96); Registry of Deeds (Ireland) * (97); Forest of Dean (Highways) * (98); Local Government Provisional Orders (Poor Law) (No. 3) * (99); Local Government Provisional Orders (No. 5) * (100).

Second Reading—Gas and Water Provisional Orders * (76); Water Provisional Orders * (77); Local Government (Ireland) Provisional Order (No. 3) * (81); Tramways Provisional Orders (No. 2) * (80).

Third Reading—Consolidated Fund (No. 3) *; Municipal Corporations (Unreformed) * (59), and *passed.*

SOUTH AFRICA — THE TRANSVAAL CONVENTION OF 1881 — A SPECIAL COMMISSIONER.

QUESTION. OBSERVATIONS.

EARL CADOGAN said, that, seeing the noble Earl the Secretary of State for the Colonies (the Earl of Derby) in his place, he wished to ask him a Question of which he had given him private Notice, relating to an important statement made by the Prime Minister in "another place" last night. The right hon. Gentleman was reported to have said—

"Her Majesty's Government, therefore, with reference to the question of the Transvaal Convention, have determined to advise the sending out of a Special Commissioner to South Africa. The business of that Special Commissioner will be to consider our present relations with the Transvaal Government, and the terms and conditions of the Convention, now that they have been illustrated by the working of a certain time, and by the experience thus afforded. The functions of the Special Commissioner will, of necessity, bring within his view the state of Bechuanaland, which it will be his duty to consider in concert with the High Commissioner at Cape Town."

He (Earl Cadogan) had no desire, in putting a Question on this subject, to enter upon any controversial matter, and that more especially as his noble Friend (the Earl of Carnarvon) had a Notice of Motion on the Paper in regard to South African affairs generally. He might, however, be permitted to remind their Lordships that it was two years since the late Secretary of State for the Colonies (the Earl of Kimberley) announced to Parliament and the country that Her Majesty's Government had determined to re-cede the Transvaal to the Boers, under the Convention signed and ratified in October nearly two years ago. Considerable discussion took place in their Lordships' House upon the course which the Government then determined to adopt, and that course was viewed with considerable anxiety and interest all over the country. The noble Earl opposite the late Secretary of State for the Colonies himself would admit that the Opposition had not endeavoured to hamper the action of the Government in the very difficult position in which they found themselves at the critical period of the conclusion of the Boer War; but it could not be denied that the Government had taken a course which had originally excited apprehension; and, since then, the matter had been watched, and it was now viewed with alarm. Several attempts had been made this year in the other House to obtain from the Government explanations as to the policy they intended to adopt in the present position of affairs in the Transvaal. The Secretary of State for the Colonies in the late Government (Sir Michael Hicks-Beach) had made repeated attempts in the other House to elicit from the Prime Minister a promise to give them a day for the discussion of this question; but all of them had resulted in failure. One discussion, no doubt, had taken place, by which his right hon. Friend had elicited a certain amount of information; but he had not been able hitherto to obtain from the Prime Minister a day for the discussion of his Motion. On the previous evening his right hon. Friend had addressed another Question to the Prime Minister on this subject; and the result had been the announcement to which he (Earl Cadogan) had already referred. He must confess that, without entering upon any speculation or prophecy as to the nature or results of the Commission which was foreshadowed by that statement, he could not but think that before it was sent out Parliament and the nation were entitled to more information as to this resolve of the Government; and he had, therefore, given Notice that he would ask the noble Earl whether he would have any objection to stating to the House and the country the Instructions which would be given to this Special Commissioner? He (Earl Cadogan) thought they ought to know the scope of the powers of the Special Commission. His business, as stated by the Prime Minister, would be to consider our present relations with the Transvaal Government and the terms of the Convention. He (Earl Cadogan) should have thought that that would have been the business of the Secretary of State. Nothing, it would be observed, was said by the Prime Minister as to any communications with the Transvaal Government. Therefore, he thought it right to ask whether the Colonial Secretary could give them any information as to the Instructions that would be given to the Special Commissioner? He had, besides, given the noble Earl Notice of another Question. He would be glad to know if the decision to send out a Special Commissioner had been arrived at after consultation with the Transvaal Government, or with the concurrence of that Government; and, if that Government had been consulted, he should like to ask the Secretary of State for the Colonies whether he could give them any hope that he would be able to lay on the Table of the House the Correspondence that had passed between the Home and the Colonial Governments upon the question? He asked these Questions with a sincere wish that the Transvaal Question might be settled satisfactorily; but he must confess that he had no very sanguine anticipation of this result. He must say that he did not look with much hope or with much pleasure on the steps the Government were now taking. With regard to the Convention, there were only two courses which could be adopted. It would be necessary for the Government either to drop the Convention altogether, or to enforce the observance of its terms. Any modification of the Convention would be entirely fruitless and nugatory. The only result, therefore, which he could anticipate from this course was one that he viewed with considerable regret—namely, that further delay would take place in this matter, and that all those evils which had now been accumulating day by day over the whole of the South African Possessions and Dependencies of Her Majesty would go on increasing, and the remedies would be more difficult of application.

THE EARL OF DERBY, in reply, said, he was surprised at the course taken by the noble Earl opposite (Earl Cadogan), as the noble Earl knew that his noble Friend, a former Secretary of State for the Colonies (the Earl of Carnarvon), was about to bring the whole question before the House; but the noble Earl had not waited for an opportunity to be given to answer any Question as to the Mission to the Transvaal. He must also observe that it was not customary to discuss in that House the proceedings of the other; they had nothing to do with the question whether the late Secretary of State for the Colonies (Sir Michael Hicks-Beach) had, or had not, succeeded in obtaining a day for the discussion of this question in "another place." In regard to the Question asked by the noble Earl, the Government would be prepared, in due course, to lay upon the Table a copy of the Instructions to the Special Commissioner about to be sent out to the Transvaal; but it would not be to the public advantage to lay them on the Table in the present state of the negotiations. But another difficulty was in the way; the Instructions did not exist in any formal shape at present, as they had not yet been drafted, and, in any case, it was necessary that they should be in existence before they could be produced. With regard to the second part of the noble Earl's Question, as to whether there had been any consultation with or concurrence of the Transvaal Government, he need hardly remind their Lordships that, during the last two years, frequent dissatisfaction had been expressed by the Transvaal Government with the present state of things, and that there had been many expressions of desire on the part of that Government for a revision of the Convention. His noble Friend (the Earl of Kimberley), who had preceded him at the Colonial Office, had refused to hold out any hope to them that their demands would be acceded to, his view being to wait a while and see how events were likely to proceed. That being the case, the Government had, under the circumstances, very little doubt as to the feelings of the Transvaal Government in regard to the Convention. The Government were informally acquainted with their views, and understood that they were willing to meet Her Majesty's Government half way in any attempt which might be made to settle the question; and, therefore, considering the Correspondence that had passed the last two years between the Government and the Transvaal authorities, he had not thought it necessary to consult the Transvaal Government, nor to ask its concurrence in regard to the sending out of a Special Commissioner. As he had said, he would be prepared, but not at the present time, to lay the Instructions on the Table.

SOUTH AFRICA—THE TRANSVAAL CONVENTION OF 1881—THE NATIVE STATES.

MOTION FOR AN ADDRESS.

THE EARL OF CARNARVON: My Lords, I desire to move—

> "That an humble Address be presented to Her Majesty for copies or extracts of any engagements subsisting between this country and any States or Native Tribes in South Africa; and to call attention to the execution of the Transvaal Convention of 1881."

In doing so, I may observe that we are in the habit of speaking of South Africa as a place with one nation and one Government, though, as a matter of fact, there are in that portion of that great Continent several nations, and at least four different forms of Government. There is the responsibly-governed Colony of the Cape of Good Hope; the Colony of Natal, which possesses a Government that may be said to stand midway between that of a Crown Colony and a responsible Government; and there are also the Dutch Republics of the Orange River Free State and the Transvaal Government, however they may be described, and a great variety of forms of administration in the Native territory. We have thus to deal with a very complex system of politics to which we are bound by a network of Treaties. I will not now enter into the subject of these Treaties; but it will be for the convenience of the House on future occasions if Returns are made, showing the different engagements to which we are parties in South Africa. There are, in the first place, those which we have entered into with such States as the Transvaal and the Orange River Free State; there are also the engagements which we have exacted from Chiefs in the position of Cetewayo and Usibepu; and, lastly, there are such obligations as those which we have entered into with the Bechuanas and the Basutos. I desire chiefly to call attention to the Convention with the Transvaal Government made in 1881. It was imposed at the end of a not very successful war; but it was represented as a Treaty of very great importance by the Prime Minister, who said of it—

> "Under the Convention we felt it our duty to take the best securities for the welfare of these Native Tribes, counted by hundreds of thousands, who inhabit the Transvaal, and towards whom we could not forget the responsibility we had assumed. We provided that power should be retained for that purpose. . . . I must now speak to you in few, but I trust clear words. We have great duties to perform; we have made large concessions. We have been censured and vituperated for these concessions. . . . We never for a moment forgot what was due to other considerations, to the rights of the Native Tribes, and to the general peace of South Africa. . . And those men are mistaken, if such there be, who judge that our liberal concessions were the effect of weakness or timidity, and who think that because we granted much it was only to encourage them to ask for more."

I do not care to make any comments on that statement; I take it in its naked and unadorned simplicity. But a few nights ago my noble Friend the present Secretary of State for the Colonies (the Earl of Derby) gave us an instructive comment on the statement of the Prime Minister. He was questioned with regard to the Convention; and, in substance, he said that the Convention gave us little power, and that its success depended on the sincere good-will and co-operation of the contracting parties in the Transvaal. That, I think, is a new doctrine to introduce into the history of Conventions by the Power assumed to be the stronger. He further gave us the important information that negotiations were pending for the revision of this Convention, and that they might end in the withdrawal of the Resident in the Transvaal at Pretoria. I wish to ascertain how and why it is that the Convention has failed altogether; and, if not, what portion of it is so valuable that the Government think it worth maintaining; and, above all, if that be so, what guarantees we are to take in order to prevent the revised Treaty becoming as ineffective as the existing Treaty? I will next consider the Articles of the Convention — there are 33 of them. Article II. provides for the appointment of a British Resident, with certain duties and functions. I wish to ask whether there has been anything in practice which corresponds to the theory of this Article; and as two years have passed since the Convention was signed, and this official has been appointed, I should also like to ask whether he has done anything more than simply to send home some Correspondence upon the question of revising the Articles? All we know of him is that, on one rather remarkable occasion, he was present at a banquet at which the name of the Queen was not treated with the respect which is its due, and that he was called to account for his conduct on the occasion. We know nothing further of him, except that he has, from time to time, made various remonstrances, which are recorded in these Blue Books, and these have been treated with the most absolute contempt. All this had been predicted by us; we had asked what powers you were going to give the Resident; and had said that, without them, the arrangement would end in complete failure. It has so happened, and I do not believe you can point to any one case in which he has interfered with success. Article V. provides, so far as it can, for the due and proper punishment of all offences committed contrary to the rules of civilized warfare; and, in reference to the point, I have repeatedly drawn attention to the committal of several disgraceful murders; there was no question as to the facts; they were committed in broad daylight; and, although some of the offenders were brought into Court, I do not think that one has met with punishment; or, if they have, it has only been in the shape of a very light and altogether inadequate penalty. The next Article to which I will refer, and some others connected with it—Article VII.—relate to the liabilities of the Transvaal Government. A Commission was appointed, on which, with ingenious inequality, there was but one Englishman to two Boers; but it did its work in a fair spirit, and it divided the obligations into two categories. The first charge included Debts which were a charge upon the Transvaal at the time of annexation. We did not pay them off, and the Transvaal could not be justly censured for leaving them in the position in which we found them. There was a second charge of £261,000 representing the legitimate expenses of the Government during the time we were in the country, or the excess of expenditure over income. The Transvaal agreed to pay this off, and partly by the payment of a lump sum. In addition, there was £130,000, which represented compensation awards charged against the Transvaal. The total Debt was £400,000, which was due to us, and which the Transvaal was reasonably and fairly bound to pay, and they were to have paid £100,000 within 12 months. Has any part of that been paid? I apprehend not. Then there were awards made by the Commission against us and against the Transvaal—this country had to pay £30,000, and the Transvaal Government £130,000, and we paid our £30,000 at once. We have also advanced the Transvaal the money to meet the awards against it, and nothing has been repaid; nor has anything been paid towards the salaries and expenses of the Commission, amounting to £4,100. I will not go into particulars of the counter-claim, as Sir Hercules Robinson sums up its character in these words—

> "I need not attempt to do more than offer a few general remarks on each item, which I may preface by observing that it is difficult to conceive that such a claim could have been seriously put forward."

It was for the enormous sum of £175,000. Indeed, the terms of the counter-claim were so preposterous that Sir Hercules Robinson said he could only imagine that they were advanced in order to cover the contemplated failure of the Transvaal State to meet the claim of £100,000 under the Dutch Convention. Then I come to the next Article—No. XII.—which says that no person who has remained loyal to Her Majesty's Government during the recent hostilities shall suffer any molestation. How has that been carried out? There were, no doubt, three parties concerned. There were the English, there were the loyal Boers, and there were the Natives. As regards the English, I apprehend that a good many of them sold their property some time before the crisis at forced prices, and left the country. That was probably the wisest course they could take. I do not care to go into the case of the loyal Boers. That has been discussed on former occasions, and I think the noble Earl the Secretary of State for the Colonies admitted that there had been great hardship in certain instances. As regards the Natives, however, it is a much harder case. To the North of the Transvaal they have not been much persecuted, because there they were in greater numbers, stronger, and more capable of taking care of themselves. They are, in fact, reserved for a later fate. To the South, however, where they were more isolated and much feebler, the Natives were exposed to the attacks of filibusters. They have been exposed to robbery, the seizure of their land, and very great oppression. I will take one single case within the Transvaal as it is recorded in the Blue Book of last year. A Chief of the name of Ikaniki, who lived within the Transvaal boundary, was stated to have erected walls at his kraal, but was not shown to have taken any active part in the hostilities beyond the Border. Nevertheless, it was urged that he had given notice of his intention to take part in the disturbances. A Boer Commando was sent to the station, and a clean sweep was made of the property of the Chief, who was completely impoverished. I call that a disgraceful and wanton act; for, although this man had never been accused of any greater act than "intention," he was so far impoverished that he was obliged to proceed to Pretoria to sue for mercy and assistance. This, your Lordships will observe, was within the Border of the Transvaal. As to what has occurred outside the Border, we know a little more. There you come upon such tribes as those presided over by Mankoroane and Montsioa. They have been driven from one point to another on account of their tried and devoted loyalty to us. It should be remembered that it stands recorded, beyond doubt, that, at a most critical time, they were loyal to us; and that, when they were attacked, we practically abandoned them to their enemies. And here I may say that I desire to draw a distinction between the Boers of the Transvaal and the rascaldom gathered on the Border, under the name of filibusters and marauders. They come from all nations and races, and are probably as disgraceful a set of men as were ever drawn together. Mr. Hudson has shown that it was no exaggeration that tribe after tribe was pushed back on the other tribes, or actually perished altogether during the hostilities. Did Sir Hercules Robinson give any better account? No; he simply says—

> "The condition of this country is deplorable; and I am unable to hold out any hope of inducing the Transvaal Government to restrain those of its subjects who are engaged in the acts of brigandage referred to."

And he adds, in another despatch—

> "After carefully perusing those Papers, it appears to me to be difficult to resist the conclusion that the Transvaal Government is morally responsible for these proceedings."

I come now to the next Article, with regard to which there is one point which successive English Ministers and Governments, no matter what their politics might be, have insisted on in their dealings with the Transvaal—namely, the suppression of slavery. One of the Articles of the Convention of Pretoria provides that no slavery or "apprenticeship" shall be tolerated by the Government. In the strict sense of the former term, I should not be prepared to affirm that such an institution existed in the Transvaal; but under the latter term there has existed for years a species of veiled slavery which is called by another name, but which is in reality the same thing. Can anyone who has held the Seals of the Colonial Office doubt or deny that? Our traditional policy in this country has been to preserve ourselves absolutely clear from the slightest taint of slavery. The Boers, on the other hand, held an entirely different view. They looked upon a Native as being in the position of an intelligent animal, to be kindly treated in the same way as a horse or an ox is treated, but nothing beyond that. If he is alive he best discharges his human function as a bondsman; and if he is inconvenient, it is well to remove him out of the way. It is a matter of history that that has been the practice and view which the Boers have entertained. And when you come to "apprenticeship" it differs very little from veiled slavery. Till within a very recent period it was the practice in storming a Native town to kill husband and wife, and to take the child and train him up as a so-called apprentice. Then there are Articles XIII. and XXI., which provide for the creation of a Native Location Commission. I believe that Commission has been in existence for some time, and has sat and done business; but I do not agree that it has ever done anything of a practical nature; it is so encumbered with forms. Then there is an Article—No. XVIII.—which provides that the British Resident shall always be a medium of communication with the Chiefs outside British territory. The object of that is very obvious. It was necessary and essential to the safety of the position of the Resident—essential, also, to the protection of the adjoining tribes. My Lords, that Article has been not only infringed, but distinctly violated. There has been a cession of territory from these Chiefs outside. They were remonstrated with, first, by Mr. Hudson, and then by my noble Friend (the Earl of Kimberley), who was then Colonial Secretary. What was the answer of the Transvaal Government? It is so remarkable that I must trouble your Lordships with it. I find that I am compelled to read many extracts to your Lordships; but it is inevitably necessary to enable me to discharge, even in a most imperfect way, the task which I have undertaken. I pray your Lordships to mark, not merely the substance, but the tone of that answer. My noble Friend had remonstrated against the violation of this Article. In reply to that remonstrance the Transvaal Government said, in effect, that what they had done was, at the worst, a breach of the form of the Convention rather than an actual contravention of its terms; what they had done was simply to send a messenger to the Native Tribes outside their boundaries. That was the very thing from which they are debarred by that Article of the Convention. Then they go on to say that they are perfectly convinced that the Queen's Government will be satisfied with the explanation which they had given. My Lords, I do not think so insolent an answer has ever been sent to this Government for generations and generations past. Now, what was the answer which my noble Friend made? Well, he observed with surprise and regret that his representations as to the infractions of the Convention had not been answered in a more satisfactory manner. He further expressed a hope that, if the Transvaal Government desired to be relieved of its obligations, it would make proper representations on the subject to the Agents of the Crown. I think that is an indication which the Transvaal Government have not been slow to accept; for they have, ever since the date of that letter, shown themselves less and less disposed to fulfil the duties to which they were solemnly pledged. Now I pass from that to almost the last point to which I need call attention—that is, the question of the boundaries in Article XIX. Now, if there was any one part of this Convention which possesses value it is the Article that regulates boundaries. Almost all our South African difficulties have arisen out of this question of boundaries. At the time of the Pretoria Convention, we made great sacrifices in order to satisfy the Boers. If there, then, is any value in this Convention, it is in the observance of those Articles which deal with boundaries. I will not go into the case; but there is one question which deserves the careful attention of the House. On the South-West Frontier of the Transvaal there is a new settlement which is said to have sprung up, composed, I believe, originally of some 300 or 400 families, of whom some 60 families are represented by English deserters, the scum of the earth. They have established a form of Government and Executive, appointed a President, and, I think, they have issued an official *Gazette.* They have imposed taxes, and have afforded every possible facility for the introduction of spirits into the district. They have plundered the Natives and seized their lands. We have, I believe, remonstrated; but the answer of the Transvaal Government is, that they have no power themselves to restrain these robbers. I will come to them presently. But I beg your Lordships to observe, in passing, that there are some ominous precedents of the establishment of these settlements in South Africa. The Transvaal itself is the aggregation of three separate Republics, which were subsequently amalgamated when they had settled their differences, and the seat of Government was removed. In the same way, this settlement may be embodied as an independent Republic for a time, and then be merged in the Transvaal. There are two points to which I would call attention. As to the alleged inability of the Transvaal Government to control those men, I think two instances of what occurred quite recently will dispose of that argument. When Sir Bartle Frere was at Kimberley certain Boer freebooters made raids into Bechuana territory. Sir Bartle Frere sent about 150 policemen, and those ravages were immediately stopped. What Sir Bartle Frere did then the Cape Government did only a few months ago. Two or three hundred police put an end to the incursions of bodies of marauders, and quickly restored order. None are so blind as those who will not see, and none are so weak as those who will not use force. I must point out to the House the very serious relations which arise from the existence of this Republic, which is called Stellasland. It fills up the whole space intervening between the South-West corner of the Transvaal and the great Desert beyond, and commands the great line of road running North and South in Africa. Lines of roads are generally lines of watershed; and along those lines generally travel all the civilizing influences of missionaries and commercial enterprize. But immediately you have that Republic thrown across your road you lose control of it. You enable them to seal up the country, and to prevent the spread of all those social, political, and civilizing agencies which would otherwise be at work. Before I end, I wish to say one word more as to this recent Blue Book which has been laid on the Table, and it is that I have never read a Blue Book which has given me so much pain and so much humiliation. From first to last there is not one redeeming feature in the despatches recorded therein. We call upon the Transvaal Government to keep their obligations. Their statement that they are unable to do is unworthy of credit. They communicated with the Chiefs outside the Transvaal territory behind our backs, and without our consent. They annexed territory. A deputation of Native Chiefs waits upon Sir Henry Bulwer to make complaints. They resent this, and they use language as arrogant and as insolent as any that I have ever read, and they call upon us to justify our proceedings; and they threaten to seize and imprison both the Whites and the Natives who formed the deputation. Mr. Hudson, Sir Henry Bulwer, and Sir Hercules

Robinson, all agree with one voice in viewing these transactions from a common point. There were several things provided for in the Convention—there was the payment of the Debt, there was the punishment of offences, there was the protection of the Natives, there was the observance of the boundaries, there was the control of foreign relations; but in every one of these matters—except, perhaps, in the last case—I will take upon myself to say there has been a most dismal failure to observe the terms of the Treaty on the part of the Transvaal Government. And now, in conclusion, I wish to ask what is the course which Her Majesty's Government really mean to adopt in this matter? I understand my noble Friend (the Earl of Derby) has confirmed the statement of the Prime Minister that a Special Commissioner has been appointed to carry out the terms of the Treaty. I do not ask who that Special Commissioner is; but I must, however, express considerable sympathy with him, for I will venture to express my doubt as to the success that that Commissioner will meet with; because I am afraid that he will have a task before him that no human individual can accomplish, unless he is supported in a manner very different from that in which it has been the custom of Her Majesty's Government to treat its Representatives abroad, and especially those exercising its authority at the Cape. If the Commissioner is not to be backed up, I think that a very serious step is being taken in re-opening the Convention, and thereby inviting the Transvaal Government yet more and more to break its terms. It seems to me that, as usual, there are three courses which may be followed by Her Majesty's Government. They may, in the first place, give up the Convention altogether, and swallow all the promises and threats in which they have indulged. They may, in the second place, find some *terra firma* on which to stand, which, for my part, I fail to find. They certainly look for the good-will and the co-operation of the Boer Government. In the third place, they may do that which no one who respects the honour and credit of the country would desire to see them do—namely, to permit the Treaty to rest in its present condition. The simple effect of that Treaty, up to the present, has been to delude the Natives to their ruin, and to associate us with discreditable and disgraceful proceedings. The result of our past policy in South Africa has been to create a complete want of confidence on the part of the English population in the Home Government. They say, and feel, that what is done one day is undone the next; and unless confidence on their part is renewed by a steady policy I am afraid that a very great catastrophe will occur. I believe there is only one process that can be safely adopted by Her Majesty's Government by which this conflict can be averted, and that is to cease from this drifting and sliding policy, and to be firm both in speech and action; and I believe, also, that we must accept our position, and be prepared to discharge the duties of a great paramount Power in South Africa. I will move the Address of which I have given Notice.

Moved, "That an humble Address be presented to Her Majesty for copies or extracts of any engagements subsisting between this country and any States or Native tribes in South Africa."—(*The Earl of Carnarvon.*)

THE EARL OF DERBY: My Lords, there are very few of the statements in the interesting speech of the noble Earl opposite (the Earl of Carnarvon) from which I am prepared to differ. The noble Earl has evidently studied this subject with great care and diligence, and he has laid his view of it before your Lordships with no unnecessary expenditure of words, or of time. I agree in some of the general propositions which he has laid down. I agree with him as to the variety and complexity of the questions that have arisen in South Africa. I agree that the affairs of that country are in a critical condition; but, at the same time, I would observe that they have been in that condition not only ever since I have had the honour to be appointed to my present Office, but almost ever since I can remember. I agree, also, that the complications the noble Earl has referred to have been aggravated by a bitterness of feeling, erected by the difference of race between the English, Dutch, and Native inhabitants. I cannot follow my noble Friend from point to point through his speech; but, while agreeing with some, and dissenting from others of the general statements which he has made, I certainly cannot admit that the majority of the Articles of the Convention have been useless, or that the Convention, as a whole, has been a failure. In reference to the quotation which the noble Earl has made from a speech of the Prime Minister two years ago, I think that my right hon. Friend was perfectly justified in the language he then used. The noble Earl has found fault with the declaration which I made the other night in this House, to the effect that it was impossible to work an arrangement such as that made by the Convention, without the goodwill and the co-operation of all parties. I made that declaration deliberately, and I am not now inclined to retract or to modify one word of it. We need not go as far as South Africa to discover the extreme difficulty, even in a thoroughly civilized and organized country, of enforcing and maintaining a law which is contrary to the feelings of the population. If the object of the Convention is admitted to be the facilitation of order and good government, and of friendly relations between the Natives and the White population, that object cannot be accomplished over a country of immense extent, thinly populated and without a centralized Government, by any mere exercise of force. The only power we can employ to assist us is the co-operation of the people themselves. If this is to be treated, as my noble Friend seems inclined to treat it, not as an arrangement to which two parties are to be freely consenting, and in which both are to operate, but as an arrangement to be upheld by military force, it is not a Convention that is wanted; it is not a Resident; it is a military occupation, and the administration of the country by English officials. The noble Earl has complained that the Resident has not done enough under the Convention; but it was perfectly well understood that he was not appointed as an official charged with the duties that would belong to a Resident in an Indian State. He was not appointed to direct and practically control the administration of the country. His instructions were expressly laid down in the Convention; and, in my opinion, so far as I know, the present Resident has discharged his duties in a very satisfactory manner. Those duties are to advise and report; and it is not fair to blame him for not doing that which he has no power to do, or for not exercising authority which is not entrusted to him. I do not agree with the noble Earl that the power of the Resident to report what is done amiss by the Transvaal Government is of no great value, because I believe that the fear of European public opinion which would thus be invoked is extremely powerful in a country like the Transvaal; and the knowledge that cases of cruel oppression of the Natives would be brought to the knowledge of the British Government through their Resident, and for that reason made public in Europe, would exercise a considerable deterring influence upon abuses. The noble Earl has referred to an alleged failure of justice in certain cases of murder, by which certain persons have managed to escape punishment. As this happened before I had any personal connection with the Office I now hold, I must confess I am not acquainted with the minute details; but, as far as I can learn, there were a few cases in which the evidence was really doubtful, and where, therefore, the acquittals were just. In nearly every case the offenders were, I believe, brought to justice before the regularly constituted Courts of Justice; but in some instances it is understood that the prisoners escaped the justice they deserved, in consequence of the sympathy of the witnesses, and possibly of the jury also. If that is so, it is, no doubt, a lamentable fact, and one to be much regretted; but it is a fact with which we are acquainted nearer home. We ourselves have not found that occasional sympathy at home of juries with prisoners so very easy to deal with that we should be justified in making it a subject of report or complaint to the Transvaal authorities. It may be very unfortunate that such a feeling should exist among the people of the Transvaal; but, under the circumstances, I do not see what the Transvaal Government could have done in the matter. My noble Friend then raised the question of the Debt that is owing to us from the Transvaal. I am not going into that question in detail, for I have not the figures before me; but I believe the general fact is that a certain amount of pecuniary liability has been discharged by the Transvaal Government, though the full amount promised has not been paid.

THE EARL OF CARNARVON: Has any part of the capital sum been paid? My contention and belief is that nothing whatever has been paid except the interest.

THE EARL OF DERBY: They have paid the interest on the Debt. I am not sure if they have repaid any part of the capital. I quite agree with one remark made by the noble Earl. He spoke of the counter-claim which the Transvaal Government has set up against us as one that is unjustifiable, and altogether unreasonable. I am bound to say that I quite agree with him in that respect. It was a very foolish thing on their part to put forward a counter-claim of this kind; but I can hardly think that it was done seriously, or with any idea that it would be allowed. The position of the Transvaal Government, I believe, is one of utter impecuniosity; and, with respect to their Debt, they have a much better defence than they have chosen to put forward. You cannot enforce payment of a debt when the debtor has no means to pay it. The noble Earl then went on to quote the Article of the Convention, which provides that no person living in the Transvaal should be made to suffer in consequence of having sided with us in the war, or in any political quarrel; and he spoke of that Article as having been broken by the Boers in the case of English residents. I dare say it is true that certain English residents there, who disliked the change that had taken place, and who felt their position among the Dutch population to be unsatisfactory, and perhaps even unsafe, have consequently sold their estates and whatever they could not remove, and have left the country. That is very likely to have happened. It is impossible to protect men against the consequences of local unpopularity; but the authorities are not responsible for the state of local feeling; and, as far as my recollection goes, I am unable to call to mind a single case in which complaint has been lodged against the Government of the Transvaal by a British subject, on the ground that this Article has been violated. I do not actually pledge myself so far as to say that it has not happened in any case; but, if it has, I am certain that it has been in some isolated case only, and that there has been no habitual violation of that engagement. With regard to the Natives, I was rather surprised to find by what a scanty supply of evidence my noble Friend justified his allegations and the strong language which he used. We do know of one case in which a Native Chief was treated, as I believe, with undue hardship; but there is no reason, as far as I am aware, to suppose that he was so dealt with because he had been friendly to England. It is easy for anyone who may be involved in a difficulty with the Transvaal Government to put forward that statement, and to say that he is ill-used because he is a Friend of the English; but, in the case referred to more especially by my noble Friend, the man was supposed to be contemplating insurrection. I do not know what evidence the Transvaal Government had to justify their action; there can be no doubt that they proceeded with undue severity; but there is no reason to suppose that their motive was that which has been imputed. I believe there is one other case of a similar character; but I would submit that, bearing in mind the vast number of Natives within the Transvaal, and the unsettled condition of the country, the fact that two men, who were supposed to be actively displaying disaffection to the existing Government, were punished more severely than they ought to have been, does not establish, even in general terms, a charge of oppression, and that still less does it establish a charge of the violation of this particular Article. With respect to the question of the Bechuana Frontier, that is a by no means pleasant subject, which has been fully discussed on a previous occasion, and I do not wish to repeat what I then said; but it practically comes to this—that I do not believe the Boer Government encouraged the marauders in that matter. Certainly, I do not contend that they did all that they ought to have done to prevent incursions into Bechuanaland. But it is only just to the Boer Government to say that, if they had had the best will in the world, it would have been utterly impossible, considering the condition and organization of the Transvaal State, for them to have opposed any effectual resistance to the system of filibustering with which they had to deal. They have no Regular Army, or organized Force of Police, but only Volunteers, who are called out for special service. They did, on one occasion, call out a number of Volunteers to prevent the marauders from crossing the Frontier; and I believe the result was that the Volunteers themselves, sympathizing with the marauders, joined the very parties whom they were sent to repress. It was no easy matter, therefore, for the Transvaal Government to enforce the law. My noble Friend next turned to the question of slavery. He said, what was perfectly true, that the Boers took a lower view of the position and claims of the Native races than is taken by the English Government, or by English settlers. I am not quite sure as to the English settlers; but, undoubtedly, the Dutch and the English views of their relations to the Native races are not altogether the same. I should be very sorry to hold the Transvaal Government in any manner responsible for all the acts which the Boers scattered over South Africa may commit; but the question is, whether the noble Earl has laid any ground for the charge which he brings against the Government and the people of the Transvaal—that they have, in an indirect and covert way, restored slavery? In my opinion, there is no evidence to support that charge. Neither Mr. Hudson nor Sir Hercules Robinson have been particularly reticent, or particularly disposed to speak with reserve, where the shortcomings of the Boers are concerned; but as far as I can recollect, speaking from memory, there is not one word in the despatches of these gentlemen which goes to prove that there has been any attempt on the part of the Transvaal Government to restore slavery. The noble Earl has also stated that the reply given by the Transvaal Government, in answer to a communication from us, calling their attention to an alleged violation of the Article of the Convention relating to their intercourse with the Native races, was of a very uncourteous character. He spoke of it, in fact, as insulting; but that appears to me to be an unnecessarily serious way of looking at the matter. The answer was certainly not particularly courteous in style; but I put that down to ignorance more than intention, for we can scarcely expect any great degree of refinement in South Africa in this respect. The question as to the manner in which the Transvaal authorities are to hold communication with the Native Chiefs is, it seems to me, precisely one of those points that may very properly be considered with a view to establish a mode of working that will be satisfactory to both parties. My noble Friend has alluded to, and laid some stress upon, the fact of the foundation of two so-called Republics by adventurers outside the Transvaal. I am not defending these adventurers, or justifying their action towards the Natives; but I do not think that the foundation of these small Republics is to be imputed to the Government of the Transvaal. They took no part in it; and, undoubtedly, they would very much have preferred, as they stated from the first, that they should be allowed to include these boundaries within their own Frontiers and to establish order there. As I said before, I am not here to fight the battle of the Boers, or to contend that their conduct has been what it ought to be in all respects. But I think my noble Friend has put a very black construction upon some matters which are not important, and which might bear a different interpretation. I have never contended, nor is it my business to contend, that the present state of things with respect to the Transvaal is satisfactory. If it were, we should, probably, not be debating the matter here, and there would be no question as to the Convention. But what I think my noble Friend really objects to is our desire, if possible, to act with the Transvaal Government instead of acting against them; and, if it be possible—and I believe it is—to settle the disputes that have arisen in a conciliatory manner. What is the other alternative? It is to to employ force. If you threaten the Boers with coercion, you must be prepared to act on your threats—to send up a force to Pretoria and re-occupy the Transvaal. There is not the slightest doubt that we can do that if we think fit. It would be an easy thing, no doubt, to find a *casus belli* in what has taken place as regards breaches of the Convention. Having declared war, there is no military resistance to be apprehended that need make us hesitate to take that course. But suppose we had done that, and suppose we had reconquered the country, and held it, what next? That is the real question. You are not dealing merely with the present; you will have to consider what you are to do in the future. When we discussed the question some months ago, I ventured to say I could not conceive how anyone could desire to establish another Ireland in South Africa. But that is necessarily what would be the result. We could hold the country; but we should do so against the will of the inhabitants. We should hold it by a military force; and, apart from the question of expense, on which, I think, the British taxpayers would probably have something to say, it is a very serious consideration whether we should be justified in locking up in that distant and remote country what would be not a very inconsiderable portion of our numerically small Army. I cannot conceive a greater source of military weakness, for all other purposes, than to be obliged to maintain a strong military garrison in the interior of South Africa. Really, these are the only two alternatives—either to take the people and Government of the Transvaal as we find them, and establish a *modus vivendi* with them as we best can; or else to accept that alternative which my noble Friend may not be indisposed to accept, and to re-establish the state of things that existed after 1876. I do not think that in 1876 there was the smallest suspicion of what the real opinion of the Transvaal people was as regarded British connection. If that feeling had been known, I do not think anybody would have desired to take possession of that territory; and I cannot conceive anyone so foolish as to say that we ought to do it now, not because any advantage would be gained by it which could not have been gained then, but simply because it seemed to to us that we had been defeated, and it was necessary to show our power. I have a much higher belief in our power, and of the opinion entertained of us throughout the world, than to suppose that any measure of that kind is necessary either for our reputation or our influence. With regard to the Motion which my noble Friend has made, I do not think that the number of engagements and Treaties into which we have entered with South African States and Chiefs is considerable. I believe that all these engagements are already in print; but I agree with my noble Friend that it may be convenient that they should be put before the House and the public in a form in which they can be more easily referred to; and, therefore, I have no objection to their being laid on the Table according to the terms of the Motion.

VISCOUNT CRANBROOK: My Lords, I did not intend to take any part in the debate; but, after the speech of the noble Earl who has just sat down (the Earl of Derby), I must make a few remarks, as I really think it calls for some comments. We have been told that we have a Suzerainty over the Transvaal, and that we have entered into a Convention. That being the case, I must ask, then, what does that Suzerainty mean, and whether we did not take upon ourselves any obligations with regard to the Convention? So far as the noble Earl is concerned, it makes very little difference. When the people and Government of the Transvaal say they will do nothing, Her Majesty's Government simply submits; and when they say they cannot pay anything, Her Majesty's Government submits to that also. What I want to call the attention of the House to is this—that, by the Convention of 1880, obligations were undertaken by this country, and an engagement was given by the Prime Minister, on the part of the Government, that care should be taken of the Natives both within the State and beyond the Borders—a duty which has been entirely neglected, and which is admitted to have been neglected. Take the despatches and Reports made by the Residents, I do not wish to refer to them further than to say that their duty has been discharged by those on the spot. But the way in which these authorities in the South African Colonies are treated is sufficient to make any man who is placed in the responsible position of a Governor in those Colonies feel that he is thrown over and neglected by those whom he represents. Look at the Blue Book which has been put into our hands, and you will see how Sir Henry Bulwer was treated with respect to Cetewayo, and how his advice was neglected. And so with regard to Sir Hercules Robinson and Mr. Hudson. Her Majesty's Government have done nothing to maintain the Convention to which they have put their signature. It is not a question of what is to be done in the future. If you are to allow the Transvaal to enter into a Convention upon the terms which the noble Earl has just now laid down—namely, that under no circumstances would you use force to maintain principles which it is essential to the honour and good faith of this country to maintain, then I say you had better let the Convention go altogether and say the Transvaal shall be an independent State, and wash your hands of all interference with its concerns; for you are undertaking now a responsibility which you will throw over when any difficulty occurs. As to Bechuanaland, it is not a question of terms; and when the noble Earl talks of diplomacy, I say it is not a question of diplomacy. Whatever Suzerainty may be, it is Sovereignty of some kind; and, therefore, to speak of diplomacy is wholly inconsistent with the facts of the case, and with the relations which exist at present between the Transvaal and this country. The people of the Transvaal were treating with the Suzerain; they were, in fact, subjects of this country. You have had the Convention discussed by my noble Friend behind me (the Earl of Carnarvon) Article by Article. I will not say that the Transvaal Government have violated every Article; but the noble Earl himself admits that they have violated several.

THE EARL OF DERBY: No, no!

VISCOUNT CRANBROOK: The agreement to pay was part of the Convention, and they have not paid.

THE EARL OF DERBY: I said they could not pay.

VISCOUNT CRANBROOK: But, nevertheless, it is a breach of the agreement not to pay. If you sign a Treaty with a State which you know to be impecunious, and one of the terms of the Treaty is that it shall pay a certain sum which you know it can never pay, you are treating the country you represent with dishonour. When the Transvaal was annexed it had 12*s.* 6*d.* in its Treasury, and you knew it. If a few days had been allowed to elapse, the country would have fallen into your hands, because there was no money in the Treasury, and therefore no one was able to discharge the State obligations. The Transvaal cannot pay, and yet it insults you by sending in a bill, calling upon you to pay a sum of money you do not owe, and which they know you do not owe. Then, when they send to negotiate with the Chiefs over the Border, to whom you were bound by obligations irrespective of those which bound you to the Transvaal, the noble Earl says, in the tone of one who is employed as the Attorney for the Transvaal—"It is true they have done something wrong, but it is not as bad as you say; it is only a breach of the Convention that they entered into these negotiations; but, poor fellows, even if they wished to keep the Frontier clear of these marauders, they could not do it." The fact is, you have made a Convention which is a shadow and a sham, though it was held up to this country as a kind of counter-balance to the dishonour which had been inflicted on your arms, and you do not dare to enforce a single one of its provisions. That is the position to which you have reduced the country. Having, first of all, submitted to a military success on the part of these people upon your own soil, within the limits of Natal, then, when the Government had to enforce the rights, duties, and responsibilities which this country had undertaken, and to show that the country was in earnest, not for the retention of the Transvaal only, but for your position as the paramount Power in South Africa, it was reduced to nothing, and you have now still further reduced the position of the country by what I cannot but call the ignoble speech to which we have just listened on the part of the noble Earl.

THE EARL OF KIMBERLEY: My Lords, for my part, I can see nothing ignoble in the speech of my noble Friend (the Earl of Derby) as alleged by the noble Viscount opposite (Viscount Cranbrook). It may be said, I think, that there is nothing more ignoble in the speech of my noble Friend than in that of the noble Viscount. I suppose the speech of the noble Viscount means that if the noble Viscount was responsible he would take steps—and therefore he thinks the Government ought—immediately to despatch an Army to the Transvaal.

VISCOUNT CRANBROOK: If I was in Office.

THE EARL OF KIMBERLEY: It is all very easy to make a grand speech when men are not in position of responsibility; but I want to know what the noble Viscount would have done if he had been in power? I suppose he would have taken all the steps which he has pointed out. The noble Viscount's arguments simply come to this—that he would have done something else if something else had happened; but the question before us is the present state of affairs in South Africa, and the failure and breach of the Convention. That is a fair enough subject to discuss, and it is important to find a remedy. But does the noble Viscount help us to find one? If he merely meant to sound the loud trumpet and the drum, he means nothing, and I have nothing to say; but if he meant anything, it was that we should proceed to force, and compel the Transvaal Goverment to observe the conditions of the Convention. My noble Friend behind me took the ignoble course of showing that that would have been an extremely foolish thing to have done. We embarked some years ago upon a very foolish course when we annexed originally the Transvaal; but for that we were indebted to noble Lords opposite.

THE MARQUESS OF SALISBURY: You agreed to it yourself.

THE EARL OF KIMBERLEY: What I said was, that if the information before the Government proved that the Transvaal people were desirous of accepting our rule, then I thought the course defensible. But I had not the means of judging whether the people of the Transvaal would accept our rule. I thought that if there were evidence enough to satisfy my noble Friend opposite that the Transvaal people were willing that we should take over the country, the late Government were justified in the policy of annexation.

THE MARQUESS OF SALISBURY: The noble Earl opposite (the Earl of Derby) agreed to it.

THE EARL OF KIMBERLEY: I was anxious to give a reasonable support to the Department with which I had been connected; but I am not responsible for the error of judgment which was made by noble Lords opposite, who, upon the facts before them, annexed the Transvaal. However, we are now called upon to explain what course we mean to take with regard to the Convention, and my noble Friend has, I think, sufficiently answered the points to which our attention was directed. It has been said that the Convention was directly violated in more than one particular, and I admit, as my noble Friend admitted, that the non-payment of the promised money was a distinct violation of the engagements of the Transvaal Government; but the fact was they had no money. A great deal, however, that is wholly erroneous has been said as to the other Articles of the Convention. It is generally supposed, and many people believe it, that there has been a general violation of the Convention as regards the Natives in the Transvaal. Now, there is no proof of that. I entirely admit the importance of the case of the Natives outside the Frontier; but the main objects of the Convention were directed to the condition of the Native inhabitants of the Transvaal itself, and the most important question is, how the Transvaal Government behaved to them. There have been one or two cases mentioned as to Natives inside the Frontier, in which the punishment inflicted by the Transvaal Government on disobedient Chiefs may have been too severe. I must remark, however, that severe treatment of Natives is not a peculiarity of the Dutch, for there is the recent case of the treatment of Langalibalele by British Colonists; and it has not unfrequently happened that the apprehensions of White settlers of danger from Native Chiefs has led them to treat the Natives with what we consider undue severity. The contest of the Dutch with Mapoch has been mentioned, and, as regards him, he was an important Chief who distinctly refused submission to the Transvaal Government. What, then, could the Transvaal Government do? They must either acquiesce in the defiance of their authority by a Chief in their own territory, taking as an inevitable consequence the rebellion of other Native Chiefs, or they must take forcible measures to compel his submission. They did exactly what we ourselves did with Secocoeni. He was a Chief near Mapoch's country; he defied the Government, and was compelled by Lord Wolseley to submit; and I always understood that, if we had remained in the Transvaal, it was exceedingly probable that Mapoch, who never paid taxes to us, would have defied us also, and we should have had to attack him, and compelled him to submit himself to our authority. I do not go into the merits of the quarrel between Mapoch and the Transvaal Government; but I do say that, in compelling him to submit, the Transvaal Government have not violated the Convention. As regards the Natives outside the Frontier, we have heard over and over again the state of affairs in Bechuanaland, which I know is very deplorable. The

Frontier is a matter of dispute which has never been settled in my recollection, and I admit fully the failure of the Convention in doing what we had hoped it would do—namely, by defining a new boundary to establish a settled state of things. That, however, is a matter which my noble Friend (the Earl of Derby) is now endeavouring to deal with. But, however much this may distress us, it is not reasonable to confuse the state of the Natives in Bechuanaland with that of the Natives in the Transvaal, and, because the spirit of the Convention has been violated in Bechuanaland, to assume that it has been broken everywhere. My noble Friend opposite has made a slight mistake in saying that the Convention was signed under protest because Sir Evelyn Wood had withdrawn his men beyond striking distance.

THE EARL OF CARNARVON: That is not the meaning of what I said.

THE EARL OF KIMBERLEY: I accept my noble Friend's explanation; but I wish to say that, in point of fact, there was great hesitation in ratifying the Convention, and it was ratified because we gave the Transvaal Government to understand that we would not withdraw the troops. It was ratified, then, under pressure; and it is not an altogether unnatural consequence that, on a Convention so ratified, a disposition to rescind it should now be found to exist, or that there should be considerable difficulty experienced as to carrying out all its provisions. The Transvaal Volksraad, in fact, complained of certain provisions of the Convention, and asked me whether I would consent to a reconsideration of it? I answered, however, that one could not reconsider a Convention directly it was signed, and that it would be time enough to do so when we had had experience of the working of it. You are in this dilemma—either you must reconquer and occupy the country, knowing the deep-seated hostility of the inhabitants, and that the disaffection of our own Dutch population would be aroused, perhaps, to a dangerous extent —a course which seems to me absolutely impossible; or you must find out whether there is not some reasonable arrangement that can be made with the Transvaal Government by which some of the provisions of the Convention may be carried into effect. That is a reasonable course. I do not think that because Her Majesty is called Suzerain, it is therefore necessary she should employ force. Is that the case with any Treaty or Convention? Is it always the case that the instant you have to complain that some provision is not carried out as you wish, you are to use an army to enforce it? Is the Porte carrying out its obligations with regard to Armenia, and are we absolutely compelled to send an army to compel the Sultan to fulfil his engagements? We do not take such a view of the matter; and it is the same with regard to this Convention. It deserves fair consideration with the Transvaal Government in the way indicated by the course my noble Friend intends to take. As to the speech of the noble Viscount opposite, unless he is prepared to recommend that this country should embark in a series of expensive and warlike operations in South Africa, his speech comes to nothing at all.

THE MARQUESS OF SALISBURY: My Lords, I did not understand that our discussion was to be limited to the question as to what we are to do now. I thought we were also to inquire as to the wisdom and justice of the policy of Her Majesty's Government. What Her Majesty's Government have done, as I understand it, is this. They had to retreat—at least, they thought that was the policy which they had to pursue—in the presence of a victorious foe. They might have done so frankly and simply, if that was the view which they took of their position, and the obligations imposed upon them by the honour of this country. But they did not do so simply. They did not face the unpopularity which would have resulted from a concession —from yielding in the face of rebellion, and giving way, after a defeat, upon their own territory. They would not abandon those Native races, for whom so many in this country feel so deeply, and whose cause is so especially dear to the classes and interests on which Her Majesty's Government themselves so greatly rely. Therefore, they interposed a screen—they adopted a Convention, which some of us told them at the time was mere waste paper, but which we then believed they fully intended to try to make an effective document. By the avowals made this evening, we are now, I am sorry to say, forced to the conclusion that no such intention was entertained. At that time, Mr. Gladstone—some of his words have been quoted to-night—dwelt with the utmost emphasis on the protection this Convention, or Treaty, was to afford to the Natives beyond the Frontier—not the Natives inside the Transvaal. That was what Mr. Gladstone said in his speech of the 25th of July, 1881; so that it was not the protection of the Natives inside the Transvaal that he had in view, at least at that time, but the protection of those beyond the Frontier. That he considered to be one of the most important objects to which, in the judgment of the Government, the Convention was principally to apply. The same view was taken by the noble and learned Earl on the Woolsack. Now we are told that the Treaty was accepted by the Boers under pressure. Well, that sounds to me rather a strange admission, because we are told that pressure is the one thing that must not be applied now. We are asked to contemplate the most terrible prospect that can be held out to us—that of having another Ireland in the Transvaal. I think the noble Earl opposite (the Earl of Derby) is rather hard on our relations with Ireland. If we had there 500,000 people passionately fond of our rule, and 40,000 adverse to us, my impression is that our task would be easier than it is. If the fear of establishing another Ireland, with all the terrors which the noble Earl has conjured up, as the consequence of a military intervention, could not originally prevent the application by us of pressure, then, when the Government were ready to threaten to use the sword, in the shape of Sir Evelyn Wood's troops, in order that the Convention might be passed, and are not prepared to use the slightest military pressure for the purpose of insuring that the Convention shall be observed, it follows that Her Majesty's Government attached immense importance to the passing of that Convention, which was to have an immediate influence on the opinion of the people at home, but that they attach little, if any, importance whatever to the observance of the provisions of which they were then so earnest in procuring the adoption. I thought the noble Earl had somewhat forgotten the character of the duties which were imposed on the British Resident. He represented that the Resident had nothing to do but to advise and report—that he was a sort of cross between a Missionary and a Special Correspondent. But nothing so absurd was put into the Convention at that time, or I think some of us would have noticed it. Other duties were imposed upon him, for, according to the 3rd sub-section of Article XVIII., the Resident was enjoined, in regard to Natives not residing in the Transvaal, to report to the High Commissioner and the Transvaal Government any encroachment reported to him as having been made by the Transvaal residents on the lands of such Natives, and in case of disagreement between the Resident and the Transvaal Government as to whether any encroachment had been made, the decision of the Suzerain was to be final. I want to know what was the intention with which those words were put in? Was it, as we are told, that we are to depend upon the goodwill and co-operation of the Transvaal Government as to whether the decision of the Suzerain should be accepted or not? What was the use, then, of setting up this arbitration? I wonder what, in the noble Earl's mind, are the prospects of the Commissioner he designs to send out to the Transvaal? He has announced, in the most distinct terms, that he has an insuperable objection to the use of military force; he has pointed out that it involves us in the most serious embarrassment, even one so great as the possession of another Ireland; and with that announcement, speedily telegraphed to South Africa, the noble Earl sends out a Special Commissioner to negotiate. What arguments is the Commissioner to use in negotiating; what motives can he appeal to? Is he going simply to preach, merely to enlarge on the ethical value of the Convention, to impress on the Government of the Transvaal, by means of lectures, the moral duties they have forgotten? The noble Earl represents that the Convention rests for its sanction, not upon the prospects of any enforcement by the British Government, but upon the sensitiveness of the inhabitants of the Transvaal in general, and of the filibusters on the Frontier in particular, to European public opinion. That is the one sanction he recognizes and is prepared to enforce. So this Commissioner is to go out to induce the Transvaal Government to revise its engagements in a sense favourable to those poor Natives who have been so betrayed and maltreated, and the only argument which will be placed in his hands will be the assurance that the public opinion of Europe will condemn them if they do not accede to our wishes. I fear that the Special Commissioner, though he may enjoy a pleasant trip, will return empty-handed, unless he is to receive a hint from the Government that they would not be sorry to wash their hands entirely of the interests of all those Native races whom they have hitherto undertaken to protect. My Lords, I confess that I entirely agree with my noble Friend who spoke on this side (Viscount Cranbrook), that if there is to be nothing more definite or more determined in the interference of Her Majesty's Government, they had far better wash their hands of the whole territory altogether. This nerveless diplomacy, these feeble negotiations, this helpless policy—they confer no advantage upon anyone of the parties to whom they are applied. They leave the Natives, who may be still simple enough to trust in you, to expose themselves, without a chance of protection, to the deadly hostility of their hereditary foes; and they leave a slur upon the good name of England, both for valour and good faith, in the minds of all the inhabitants of South Africa, which may be dangerous to our power in many parts of the Empire, and more especially to our South African Colonies.

EARL GRANVILLE: My Lords, I can say, as the noble Viscount opposite (Viscount Cranbrook) said, that I had not the slightest intention of taking part in this discussion; but, after what has fallen from the noble Marquess opposite (the Marquess of Salisbury), I should like to say one or two words. I quite agree that it is the duty of an Opposition to criticize—and a very useful duty it is—the acts of the Government. Most Oppositions carry that useful operation rather further than is sometimes necessary; and I am bound to say that no Opposition I ever remember deserves such credit as the noble Marquess and his Friends for finding fault with everything which Her Majesty's Government do, and for never allowing that, in any one particular point, Her Majesty's Government are in the slightest degree right. The noble Marquess has, to-day, stated, in the most definite manner, what is the intention of this discussion. In the long, elaborate speech of the noble Earl the former Secretary of State for the Colonies (the Earl of Carnarvon) and the fiery speech of the noble Viscount opposite (Viscount Cranbrook) very severe critical observations have been made in addition to the noble Marquess's own severe remarks. He entirely disdains giving the Government or the country the slightest assistance as to our future policy, and as to what we ought to do at this moment; but he expressly states that the object of all this discussion is merely to see whether any dirt has adhered to Her Majesty's present Government in struggling out of that slough of mire into which we were led by the noble Earl the former Secretary of State for the Colonies and his Colleagues by their act of annexation of the territory. We are told that it was done under mistaken information, and that they would not have gone so far if they had had the slightest idea of the real facts of the case. But now, with all this disclaimer, the noble Marquess not only gives us no assistance in our policy, but attempts at once to damage, as much as he can, the measure we propose to take of sending out a Special Commissioner. "How can you expect any results," he asks, "if you announce beforehand that you are not going to war under any circumstances?" That is very much the position in which the noble Marquess himself was once placed, when he went to Constantinople, after the declaration of Lord Beaconsfield and others that we were on no account to go to war.

THE MARQUESS OF SALISBURY: No, no!

EARL GRANVILLE: I think the noble Marquess exaggerated what has been said by Her Majesty's Government. We have no intention of going to war; we see every possible reason against it. Therefore, we are against going to war; but we have never said that there are no conceivable circumstances in which force may not be resorted to. The noble Marquess said he would not give us advice; but he ended by giving us most distinct advice, for he said—"If you will not exert your force in order to establish a right state of things in South Africa, I advise you to do nothing at all, but to wash your hands of the whole affair." I do not think that is good advice; and I hope Her Majesty's Government will not follow that advice.

But the whole inference from his own speech, and still more from the speech of the noble Viscount, is that it is the duty of Her Majesty's Ministers, for the honour—I do not think anybody could say it would be for the interests—of the country that we should use forcible means. I remember a speech of the noble Marquess, at a public meeting a short time since, in which he said that when he heard of the bombardment of Alexandria it added six inches to his stature. But a scalded dog sometimes fears cold water; and I cannot help feeling, supposing we came to the same opinion as the noble Marquess and his Friends, that it is a judicious thing, either for our interest, or for anything else, to go to war with the Boers on this occasion. I venture to differ from that opinion. I am afraid that it is possible that, when the war was begun, if it was carried on favourably, we might expect, as in the case of the bombardment of Alexandria, that, for months after that, we should hear peace speeches from the Opposition, and the denunciation of the bloodthirstiness of Her Majesty's Government in undertaking the war. I do not regret the present discussion. I think the speeches of both the noble Earls who have been closely connected with the Colonies will be useful in enlightening the public on the real merits of the question; but I hope the discussion will not induce the country to believe that we are not, on the one hand, going to war with the Boers at all, or that, in a state of hopelessness, we entirely wash our hands of the whole question.

Motion *agreed to.*

House adjourned at Seven o'clock,
to Monday next, a quarter
before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 15*th June,* 1883.

The House met at Two of the clock.

MINUTES.]—Public Bills — *Ordered—First Reading* — Electric Lighting Provisional Orders (No. 7) * [229].

Second Reading—Drainage (Ireland) Provisional Orders (No. 2) * [220].

Committee—Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Fourth Night*]—R.P.

Considered as amended—Tramways Provisional Orders * [167]; Tramways Provisional Orders (No. 3) * [169].

Third Reading—Local Government Provisional Order (Highways) * [193]; Local Government Provisional Orders (No. 7) * [196]; Tramways Provisional Orders (No. 4) * [201]; New Forest (Highways) * [225], and *passed.*

QUESTIONS.

ROYAL IRISH CONSTABULARY—CASE OF SUB-CONSTABLE WALSH.

Mr. SEXTON (for Mr. Biggar) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it was a fact that Constable Kilcummins, of Rosslea police station, in the county Fermanagh, had brought a charge against Sub-Constable Walsh, at Rosslea Petty Sessions, of indecently assaulting his (Constable Kilcummins) servant girl; that the servant girl, whose age is fourteen years, on cross-examination admitted that the whole case was a concoction of Kilcummins and his wife to destroy the character of Walsh; that the case was dismissed by the magistrates; and, if so, what reason did the authorities of the Royal Irish Constabulary assign for refusing to allow Sub-Constable Walsh to recover from Constable Kilcummins the expense he had undergone in defending himself from this charge; and, further, had the matter been investigated by the Inspector General of the Royal Irish Constabulary, and had Constable Kilcummins been punished for conspiring with his wife to coerce this little girl to swear lies for the purpose of destroying the character and means of livelihood of Sub-Constable Walsh; and, if so, what punishment had been inflicted on Constable Kilcummins; were the Government aware that two years ago six policemen were stationed in a shooting lodge in the townland of Eshnadarra, on the Slieve Beagh mountains in the county Fermanagh, belonging to John Madden, of Rosslea Manor, in said county, for the purpose of preserving the game for Mr. Madden; and, if so, from what source was the money drawn for the maintenance of this force; and, did the Government intend continuing so many policemen in this place, considering the fact that there never was a single agrarian outrage committed in the district?

MR. TREVELYAN: It is the case that Constable Kilcummins brought the charge mentioned against Sub-Constable Walsh, and that the magistrates refused depositions; but it is not true that the girl who was alleged to have been assaulted admitted that the case was concocted by the constable and his wife. There is no ground whatever for that allegation. It is not the fact that Sub-Constable Walsh was refused permission to recover his expenses from the constable. He made no application to that effect. He did apply to get his expenses from his own authorities; but, as his conduct on the night in question, even on his own showing, was by no means free from suspicion, his County Inspector refused his application. There was nothing in the conduct of Constable Kilcummins to call for punishment. The police at Eshnadarra were not placed there for the purpose stated in the Question. The station was established for general purposes on the recommendation of the Lieutenant and Magistrates of the county. It is an ordinary county station involving no charge to the district, and it is not intended to abolish it.

POOR LAW (IRELAND)—ELECTION OF GUARDIANS—MAGHERAFELT UNION.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Local Government Board has decided that the vote of John M'Oscar at the recent Poor Law election for the Salterstown division of the Magherafelt Union was wrongfully rejected by the returning officer, thereby causing a tie between the two candidates; whether, nevertheless, the Local Government Board has refused to ratify the election of Mr. Larkin, the candidate for whom M'Oscar's vote was given, and, notwithstanding the remonstrance of the Board of Guardians, has by sealed order directed a new election to be held; whether a sworn inquiry has been called for with respect to several other acts of illegality charged against the returning officer and the collecting officer, in connection with the elections for the Carnamoney and Iniscarn divisions of the same union; and, whether these charges will be investigated, and the officials, if found culpable, censured?

MR. TREVELYAN: Sir, the Report which I have received on the case to which the hon. Member refers shows the case to be one which calls for further inquiry. It may take some time to examine; but the examination will be thorough.

THE ROYAL MILITARY HOSPITALS—THE COMMITTEE OF INQUIRY.

MR. SEXTON asked the Secretary of State for War, Whether the Report of the Committee of Inquiry into the Royal Hospitals at Chelsea and Kilmainham, the Royal Military Asylum at Chelsea, and the Royal Hibernian Military School, Dublin, presided over by Lord Morley, is yet ready to be laid on the Table of the House; whether it has been for nearly a year in the hands of the Secretary of State for War; whether, since its production was promised early this Session by his predecessor in office, he will state for the information of the House what recommendations contained in the Report have been accepted and adopted by the War Office authorities; and, whether there is any cause for the unusual delay which has taken place in the presentation of the Report?

SIR ARTHUR HAYTER: In the unavoidable absence of the Secretary of State for War on duty, I shall be happy to answer the Question put by the hon. Member for Sligo. The Report alluded to in his Question is that of a Departmental Committee, and for the information of the Secretary of State. It was not in his hands until nearly the end of last year. The Report dealt with several important Institutions, enumerated in the hon. Member's Question, and the first step which had to be taken was to consult the Governing Bodies and other authorities of the Institutions concerned on the recommendations of the Committee which affected them, and also to have the financial and other bearings of the Report carefully examined in the Department. It would not be convenient to make the Report public until some decisions had been arrived at on the principal recommendations of the Committee. The Secretary of State hopes to be in a position very shortly to come to these decisions, and there will then be no unnecessary delay in presenting the Report to Parliament.

TREATY OF BERLIN—ARTICLE 10—THE VARNA RAILWAY—THE BRITISH AGENT AT SOFIA.

Mr. JOSEPH COWEN asked the Under Secretary of State for Foreign Affairs, Whether the British Diplomatic Agent at Sofia has ceased to hold relations with the Bulgarian Government; and, if so, for what reason?

Lord EDMOND FITZMAURICE: Mr. Lascelles, Her Majesty's Agent and Consul General at Sofia, informed Lord Granville that he proposed to hold no further communication on the subject of the Varna-Rustchuk Railway with the Bulgarian Government until he had received a reply to the two notes referred to in my reply to the Question of the hon. Member for Evesham (Mr. Dixon-Hartland) on Monday last. Mr. Lascelles was approved. The Report alluded to by my hon. Friend has, no doubt, grown out of this circumstance. It is, I need hardly add, entirely incorrect.

THE MAGISTRACY (IRELAND)—RESIDENT MAGISTRATES.

Mr. DAWSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the period for which special resident magistrates were appointed for will not terminate on the 30th instant; if so, when the Right honourable gentleman will bring in his measure relating to this matter; and, whether it is intended to prolong the present system of special magistrates, and in the persons of the present holders of these positions?

Mr. TREVELYAN: Sir, it is the case the period referred to will terminate on the 20th of this month. Authority has been obtained from the Treasury to continue the present system for three months longer. The intention of the Government is to continue it pending the legislation to which the hon. Member refers.

WESTERN ISLANDS OF THE PACIFIC—AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND.

Sir MICHAEL HICKS-BEACH asked the Under Secretary of State for the Colonies, Whether he can now lay upon the Table the Despatch from the Governor of Queensland with respect to the annexation of New Guinea, and inform the House of the decision of Her Majesty's Government on the subject; and, whether the recent Correspondence with other Australasian Colonies, with respect to the annexation of certain other islands in the Pacific, will be presented to Parliament?

Mr. EVELYN ASHLEY: The Despatch from the Governor of Queensland has arrived, and is being prepared with other Parliamentary Papers to be shortly laid on the Table. The Government have not yet arrived at any final decision on the matters dealt with in that Despatch. As to the telegraphic correspondence with respect to certain Islands in the Pacific, the shortness of Notice has prevented me conferring with the Secretary of State; but I have no doubt they will, before long, be presented to Parliament.

Sir MICHAEL HICKS-BEACH: I shall repeat the Question in a day or two to the Head of the Government, for it is a very important matter.

SOUTH AFRICA—THE BRITISH RESIDENT IN ZULULAND.

Sir MICHAEL HICKS-BEACH asked the Under Secretary of State for the Colonies, Whether it is true that Mr. Fynn, the resident with Cetywayo, has expressed a desire to resign his office?

Mr. EVELYN ASHLEY: It is perfectly true that Mr. Fynn has expressed a desire to resign the office. The main reason alleged is ill-health.

TREATY OF BERLIN—ARTICLE 61—ARMENIA.

Mr. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether a deputation of Armenians was received on Wednesday by the Earl of Dufferin, Her Majesty's representative at Constantinople, now on leave in this country, and that expressions derogatory to the Turkish Government, and menacing to the security of the Ottoman Empire, were used both by members of the deputation and by Lord Dufferin in his reply; and, whether he can give any precedent for such a proceeding on the part of an Ambassador accredited to a friendly state?

Mr. GLADSTONE: Seeing the Question of the hon. Gentleman on the Paper, I have commmunicated with

Lord Dufferin, and I learn from him that he received a deputation of Armenians, as it was called in the newspapers, with none of the formalities attending a public deputation, and that the reception was not the subject of any previous communications with Her Majesty's Government. Lord Granville is out of town, and I have had no opportunity of communicating with him. Lord Dufferin says that, so far from his reply having the character of a menace, it consisted of an exposition of the strong motives of self-interest which guaranteed the loyalty of the Armenians to the Turkish Empire, and that it notified the fact that the Sultan had returned a gracious answer to Lord Dufferin's representations. What Lord Dufferin said in addition was merely what he conceives to be a repetition of that which has been already repeatedly stated on the part of Her Majesty's Government in Parliament.

MR. ASHMEAD-BARTLETT: Will the right hon. Gentleman answer the last part of my Question?

MR. GLADSTONE: The last portion of the Question turns upon an assumption of the accuracy of the previous portion of the Question—that there was in Lord Dufferin's statement a menace or expressions derogatory to the Turkish Government. I am aware of no precedent of that character; and, undoubtedly, I do not think this is a case of that kind.

MR. ASHMEAD-BARTLETT: Has the attention of the right hon. Gentleman been called to the fact that in the newspaper report it was stated that Lord Dufferin said that the Turkish authorities, instead of protecting the Armenians, seldom lost an opportunity for subjecting them to every kind of injustice and oppression, and that the upshot might prove extremely disastrous to the Porte? Is there any precedent for an Ambassador using language of that sort with regard to a friendly Power?

MR. GLADSTONE: As to the persons who constituted the deputation, I have no knowledge. With regard to the statement that there was frequent oppression by the Turkish authorities, and that they were trying patience which might come to an end, those Turkish authorities are the local authorities of whom Lord Dufferin speaks; and, no doubt, it has been his constant duty, as it has been the constant duty of the British Government, for many years past, to bring to the notice of the Turkish Government, sometimes with advantage, the fact that there are very great abuses in connection with the acts of the local authorities in various parts of the Turkish Empire. Lord Dufferin, I know, is loyally attached to the Turkish authority, always assuming that it is an authority to be exercised, as the authority of every Government should be, for the benefit of its subjects; and his desire is to see it so exercised.

LAW AND POLICE (IRELAND)—SALARIES OF SPECIAL RESIDENT MAGISTRATES.

SIR HENRY HOLLAND asked whether there would be a Supplementary Estimate brought forward for the salaries of Special Resident Magistrates in Ireland?

MR. TREVELYAN: That course was adopted before, and it will be followed again.

MR. DAWSON asked when the Chief Secretary would bring in the Bill dealing with this matter?

MR. TREVELYAN: I will bring it in as soon as I can.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

MR. GLADSTONE: I gave an engagement to the House yesterday that I would endeavour to learn what was the prevailing sentiment of the House with reference to the general progress of Business in regard to precedence between the Committees on the two Bills—one relating to Corrupt Practices and the other to Agricultural Holdings. I have been able, I think, to ascertain quite conclusively to my own mind, and to the minds of my Colleagues, that the prevailing desire of the House is, with a view not to the progress of one Bill in particular, but to the progress of both, that we should proceed in the course in which we are now engaged. We shall, taking it from day to day, as far as is in the power of the Government, proceed with the Committee on the Parliamentary Elections (Corrupt and Illegal Practices) Bill, and we shall subsequently pursue a similar course with regard to the progress of the Agricultural Holdings Bill. The main object which we believe the great mass of the House very sincerely desires to obtain is to have an opportunity of sufficiently deliberating upon the provisions of both these measures.

Mr. J. HOWARD: May I ask the Prime Minister whether any estimate has been made by the Government of the time which will be consumed in Committee on the Parliamentary Elections (Corrupt and Illegal Practices) Bill?

Mr. CHAPLIN: I do not know whether I am in Order; but I cannot conceal my great disappointment at the announcement the right hon. Gentleman has just made. I am bound to say I do not know by what means he has ascertained the general feeling of the House.

Sir WALTER B. BARTTELOT also regretted the decision of the Government not to proceed with the Agricultural Holdings Bill at once.

Mr. GLADSTONE: I can assure the hon. Member that I have been quite impartial in the examination I have made; and I sincerely regret not being able to meet the wishes of various Members who think with him, and his wishes in particular, because he has eminently and laudably interested himself in this cause. With respect to the estimate of how long the Parliamentary Elections (Corrupt and Illegal Practices) Bill will be in Committee, my opinion is that a great many estimates have been formed—probably one by every Member; but it would be very difficulty to give effect to any of those estimates; and I think it would be a daring thing on the part of the Government, and, moreover, would not conduce to the end in view, if we were to announce any estimate we have formed.

SUPPLY—ARMY ESTIMATES.

In reply to Sir Walter B. Barttelot,

Mr. GLADSTONE said, he was not in a position to state on what day the Army Estimates would be taken; but he would communicate with his noble Friend the Secretary of State for War upon the subject.

ORDER OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 14th June.*]

[FOURTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 2 (What is corrupt practice).

Amendment proposed,

In page 1, line 26, to leave out the words "and bribery, undue influence," in order to insert the words "using any violence, or threatening any damage, or resorting to any fraudulent contrivance to restrain the liberty of a voter so as to compel him or frighten him into voting or abstaining from voting otherwise than as he freely wills, and also bribery,"—(*Mr. Parnell,*)

—instead thereof.

Question proposed, "That the words 'and bribery, undue influence,' stand part of the Clause."

Mr. PARNELL said, he wished to explain to the Committee the course he should ask their permission to take with regard to the Amendment which was under discussion yesterday evening when Progress was reported, and also his reasons for wishing to take that course. The hon. and learned Gentleman the Attorney General, during the course of the discussion last night, pointed out that a definition that they had adopted was so much less extended than the definition contained in the Act of 1854; that several species of undue influence, which he desired to check, would escape; and that it might be possible, under certain circumstances, to exercise undue influence under the Amendment which he (Mr. Parnell) last night asked the Committee to accept. After consultation with several of his hon. and learned Friends, he (Mr. Parnell) had come to the conclusion that it would be proper for him to request that the Amendment should be withdrawn, and that he should draft a fresh Amendment, including all the definitions of undue influence which, in the course of the debate last night, the hon. and learned Gentleman the Attorney General desired to include, and excluding that portion of the definition of undue influence which he (Mr. Parnell) had adverted to more particularly yesterday as being most obscure. Therefore, during the interval between the termination of the deliberations of the Committee last night and now, he had drafted a fresh Amendment, which now appeared on the Paper. The Amendment was to leave out, in page 1, line 26, "and bribery, undue influence," and insert—

"And the making use of, or threatening to make use of any force, violence, or restraint, or the inflicting, or threatening to inflict any injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or the impeding or preventing by abduction, duress, or any fraudulent device or contrivance the free exercise of the franchise of any voter, so as thereby to compel or prevail upon any voter either to give or refrain from giving his votes at any election, and also bribery."

He proposed to ask the permission of the Committee to withdraw the Amendment which was under discussion in favour of the one he had just read, and upon that new Amendment he intended to take the opinion of the Committee. The new Amendment followed *verbatim* the definitions contained in the Act of 1854, with the exception of one paragraph, which paragraph was the most objectionable to him and his hon. Friends. The words left out were as follows:—"or in any other manner practice intimidation." He had held all along, during the discussion upon this question, that the paragraph to which he had just alluded left it open to Judges to put a very wide and strange interpretation on the law. It was unnecessary for him to go into the arguments which were used to the Committee last night; but he felt that a very large amount of his objection to the retention of the words "undue influence" as a corrupt practice would be removed if the Government would agree to this small alteration in the definition of undue influence contained in the Act of 1854. He left the argument of the definition untouched. He left the Common Law, and the law of Parliament regarding undue influence, untouched; and it must be borne in mind that under the Common Law spiritual undue influence and intimidation could be reached, and had been reached. He (Mr. Parnell) hoped the Committee would be kind enough to allow him to withdraw his Amendment, and to take their opinion upon the Amendment which he had just read.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought that the suggestion of the hon. Gentleman to withdraw the Amendment he proposed last night was a very reasonable one. That Amendment was evidently not drawn up with the same amount of care with which the present Amendment had been drawn. The present Amendment too, he (the Attorney General) thought, stated the hon. Gentleman's case very much better than the former Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 1, line 26, to leave out the words "and bribery, undue influence," and insert "and the making use of, or threatening to make use of any force, violence, or restraint, or the inflicting, or threatening to inflict any injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or the impeding or preventing by abduction, duress, or any fraudulent device or contrivance the free exercise of the franchise of any voter, so as thereby to compel or prevail upon any voter either to give or refrain from giving his votes at any election, and also bribery."—(*Mr. Parnell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had just stated that the Amendment now proposed, in his opinion, more carefully set forth the intentions of the hon. Member than the Amendment which had just been withdrawn. Though this was the fact with regard to the drafting of the Amendment, still objection to the subject remained, and he (the Attorney General) was sorry he could not accept it. He would be very glad to accept the Amendment if it were not one which involved principle, and which ought not to be accepted. He would explain, as well as he could, the views he entertained in respect to the Amendment. The hon. Member stated that his Amendment contained *verbatim* the definition in the Act of 1854, with the exception of the words "or in any other manner practices intimidation." The hon. Member, however, further down struck out the words "or otherwise interfering," and also proposed to omit the words "so as thereby." The effect of the Amendment would be to leave the difficulty as to spiritual influence untouched. He (the Attorney General) had referred to some of the cases mentioned, and he had consulted his right hon. and learned Friend the Attorney General for Ireland (Mr. Porter), and it seemed to both of them that such would be the result of striking out the words "or in any other manner practices intimidation." They would, in fact, by striking out these words give legislative sanction to spiritual influence either in favour of or against any particular candidate. Could they wish to take such a course? Were they to say it should not disqualify a Member if spiritual influence were used in order to coerce votes? He (the Attorney General) could not be a party to such an arrangement. It would be a most dangerous thing for Parliament to do, and therefore he could not accept the Amendment. Then, again, the words "or otherwise interfering with" came in the same category, and the effect, too, of omitting the words "so as thereby" would be that before they complained of undue influence they would have to show that the undue influence had actually interfered with voters, and unless they could prove that voters had been thereby influenced the persons who had used the influence would go scot-free. That, unquestionably, would give a great licence to persons to exercise undue influence. On that ground, also, he could not assent to any alteration of the law. He listened very carefully to the statement of the hon. Member; but he really at that moment could not understand for what purpose the hon. Gentleman desired the alteration. The hon. Member pointed out that the word "intimidation" occurred in the Prevention of Crime Act of 1882, and he feared that the definition given of this word might be applied to the electoral law. That could not be the case, because in this Act it was distinctly set forth that undue influence should be undue influence as defined in the Act of Parliament of 1854. He (the Attorney General) wished, however, the Bill to be perfectly clear on this subject, and he saw there was an Amendment lower down in the name of the hon. Member for Kilkenny (Mr. Marum), to the effect that the expression "intimidation" in the Corrupt Practices Act of 1854 should not, in Ireland, mean intimidation within the meaning of the Prevention of Crime (Ireland) Act, 1882, or otherwise than intimidation within the meaning of this Act as affected England and Scotland. If hon. Members had any doubt as to the interpretation that would be put upon the word, he would have no objection to accepting the Amendment of the hon. Gentleman the Member for Kilkenny with a slight alteration, which would make it run in this way—

> "That for the purposes of this Act the expression 'intimidation' in the Corrupt Practices Act, 1854, shall not be otherwise than intimidation within the meaning of the same in the Acts affecting England and Scotland."

Now that would relieve every doubt as to the definition of intimidation; and, having made that concession, he hoped the hon. Member (Mr. Parnell) would not press his Amendment.

Mr. P. MARTIN said, the statement made by the Attorney General showed the advantage gained by the discussion of last evening. It had been stated that, if the clause passed as inserted in the Bill, it would have left the law the same in England and in Ireland. Now, he was glad to perceive, on consideration of the effect of the passing of the Act for the Prevention of Crime in Ireland, the hon. and learned Attorney General admitted the mistake made in thus leading the Committee to believe such would have been the legal effect of the words used in the clause. But though the insertion of the words proposed in the Amendment on the Paper would, it was true, remove to a great extent that ground of objection, yet on higher and more serious grounds did he feel bound to oppose this clause. Was it right to leave in an Act of Parliament words capable of so many varying meanings as these—"or in any other manner practise intimidation?" The wise and just rule to be adopted in all legislation was that new offences should only be created in clear and distinct terms. Penalties should be imposed only where there had been a wilful violation of the law. It was no answer to say these words were permitted to remain in the

Act of 1854. Parliament was now framing a new Code. The question really was, ought the Committee to now again sanction the use of vague words? He could not help thinking that this question had been somewhat prejudiced by the observations made respecting Irish Judges. It was not the first time he had said in the House that the decisions of Irish Judges had, as a general rule, been quite as good as those given by their English brethren on the Bench. But Judges, of all men, were, as a general rule, the very worst at coming to conclusions on matters of fact and common sense. They had been trained to view matters on certain fixed lines and principles, and they had not been accustomed to deal with matters as men of common sense and men of the world. That was the effect of their training. Public opinion in England as well as in Ireland had been ill-satisfied with the decisions of its judicial tribunals in election matters. The decisions in the Launceston case, as those in the Galway case, shook public confidence in the estimate which had been placed on the sense and discretion of Judges. Therefore, he asked the Committee to be slow in permitting the introduction of such general and vague words. The hon. and learned Attorney General made another unintentional error in his statement of the law in respect to persons who might be held to be agents for candidates. He (Mr. Martin) submitted it had been held by Election Judges that if a candidate convened a meeting, those who spoke at that meeting on behalf of the candidate were the candidate's agents for the purposes of his election; and for every act done and word spoken by those agents the candidate was responsible. [The ATTORNEY GENERAL for IRELAND (Mr. Porter) dissented.] He noticed that his right hon. and learned Friend the Attorney General for Ireland (Mr. Porter) appeared to doubt that this proposition was correct. Let him refer the right hon. and learned Gentleman to what was laid down in express words in the Galway County Election case by Mr. Justice Keogh. Mr. Justice Keogh held that—

> "Every bishop and every priest, from the highest to the lowest, who acted at those meetings as called into existence by Major Nolan's own acts, became his agents for the purposes of his election, and by their acts, words, and writings he must be bound."

And, in point of fact, as they all knew, Major Nolan was held bound by every word spoken, and by every act done by each and every one of those gentlemen, many of whom, it was clearly shown in the evidence given at the trial, had never conversed or written to Major Nolan; and some of them, he (Mr. Martin) believed, had not even seen him during his hurried canvass. Having regard to the clearness and preciseness of the words thus used in that Judgment, he asked the Committee not to hastily accept the exposition of the law, which, for the purposes of this Bill, were laid down by the Attorney Generals for England and for Ireland. Of course, in discussing matters of this kind, it was difficult, in hurriedly addressing the Committee, for either of the learned Attorney Generals to state quite accurately and explicitly the extent and meaning of those legal propositions they laid down for the guidance of the Committee. But it was right for him to remind them that a decision given by one Judge was to a great extent binding on other Judges when deciding future election cases, and that the opinion on statements even of an Attorney General in the House was a matter of no moment, and could not be accepted as a guide in their constructions upon Statutes. But it was not alone in the Galway case that judicial dicta was to be found of this character. As Mr. Justice Keogh mentioned, when giving judgment, he only followed the decisions previously given by several English Judges. Under these circumstances, let the Committee consider the position and liabilities of a candidate, especially in Ireland. He was responsible for every act done, and for every word spoken, by any Bishop, priest, layman, or indeed by anyone at all, who attended any of his meetings, and who spoke on his behalf. A candidate who did not take measures to check the utterances of those speeches, inevitable during the excitement of an election contest, might be held, on very insufficient grounds, to have been guilty of intimidation. Each Judge would, he feared, unconsciously frame a different rule for the decision of what constituted the class of speech and language used which would amount to an offence within the meaning of this clause. Judges, though he did not question their desire to do justice, had widely divergent views as to the right claimed by public men to denounce what they considered abuses in strong and emphatic language. What one considered permissible and fair, another held as an abuse and violation of the right of free speech. Let the Committee separate this case as much from Ireland as possible. Let him instance a case in England. Only yesterday he was reading a report of the speeches delivered in Birmingham, and he was confident that a great number of Judges would say that speeches such as those of the right hon. Gentlemen the Members for Birmingham (Mr. Bright and Mr. Chamberlain) were amongst the strongest specimens of intimidation that could be exercised on voters. From the manner in which, as a general rule, judicial appointments were made in Ireland, the evil tendency of the clause would be even greater than in England. True, it was said by the hon. and learned Attorney General for England that "no penal consequences" were inflicted. He (Mr. Martin) challenged the accuracy of that statement. If the hon. and learned Gentleman would only look at the 3rd section of the Bill, he would there find penal consequences were provided. For what did the section say? Why, that if a Judge—

> "Reports that any corrupt practice has been proved to have been committed in reference to such election, by or with the knowledge and consent of any candidate at such election, that candidate shall not be capable of ever being elected to or sitting in the House of Commons for the said county or borough."

If a candidate was present at, or even sanctioned the convening of, a meeting, was not a Judge bound to hold that the words spoken and acts done were, if they constituted any corrupt practice, committed with the knowledge and consent of the candidate, unless an active dissent therefrom on his part was shown? It was perfectly well known that the words "and in other manner practise intimidation," had been inserted in the Act of 1854 as mere general words to cover offences of the same character and description as those previously specified. But, in Ireland, as had been shown by the cases mentioned, the loose verbiage of the draftsman had, by judicial interpretation, been extended to create offences and impose disabilities for acts which Parliament did not show they intended to prohibit. Judges, under the powers of the measure, would, if the words objected to were permitted to remain, be coerced to act in accordance with the interpretation given to them by previous Judges. It would be no answer to say that had not been the intention of the Legislature, or that the Attorney General had stated in the House he did not approve of the principles laid down in those cases. In accordance with custom, a judicial tribunal in their construction would be governed by previous precedents. Why then, he asked, should they be called on to make acts and speeches now a criminal offence, which Parliament in 1854 did not contemplate or intend to come within the meaning of the clause inserted in the Act of 1854? Under the circumstances, he did ask the Committee to be clear, precise, and definite. It was of the greatest importance that when intrusting a task of this character to the discretion of the Judges, they should be guided, in pronouncing judgment, by clear, precise, and definite words. The vagueness in the words would lead to unpleasant and injurious comments as to the motives which influenced those election tribunals in their decisions. If the hon. and learned Attorney General was so anxious for the reputation of Irish Judges, about whom so much had been said, he would take care to show to the public that the Judges were bound to come to their conclusions by the precise words used by the Legislature, and that their decisions were not arrived at by straining vague and general words. He hoped the Attorney General would not ask them to assent to loose, vague, and indefinite words of that character remaining in this clause. He (Mr. Martin) trusted the Attorney General, if he refused to accept the words of the Amendment as a correct definition of undue influence, would favour them by showing in what respect they failed. It was unreasonable to ask the Committee to re-enact a clause which had caused decisions, now admitted to have been ill-founded, on the simple ground that it had, on a previous occasion, passed through the House without discussion or comment.

Mr. MARUM endorsed all that had been said by his hon. and learned Colleague (Mr. P. Martin). He (Mr. Marum) contended that too much latitude ought not to be allowed to the

Judges, who were subjected to prejudices, like the rest of mankind. As to spiritual intimidation, he heartily adopted the definition given by Mr. Justice Keogh in the celebrated Galway case, for he said that a priest—

> "May not appeal to the fears, or terrors, or superstitions of those whom he is addressing. He must not hold out hopes of reward here or hereafter, or use threats of temporal injury or disadvantage or of punishment hereafter. He must not, for instance, threaten to excommunicate or to withhold the Sacrament, nor should he denounce voting for a particular candidate as a sin."

He (Mr. Marum) thoroughly coincided in those words, and he would be quite willing to accept any definition of spiritual influence which would be in accordance with those words. He and his hon. Friends objected to let the matter go blindly to a Judge, especially when there was no jury to assist him. They objected to a Judge being a Judge of matter of fact as well as of law; but if the hon. and learned Attorney General pointed out any particular disadvantage in the definition, they would be very satisfied to meet him. When his (Mr. Marum's) Amendment—namely,

> "That for the purposes of this Act the expression 'intimidation' in the Corrupt Practices Act, 1854, shall not in Ireland mean intimidation within the meaning of the Prevention of Crime (Ireland) Act, 1882, or otherwise than intimidation within the meaning of this Act as affecting England and Scotland,"

came on for discussion he should have something to say about it; and he believed he should be then able to show distinctly that it would be a most grievous matter, indeed, if intimidation under this Act were to be considered like the intimidation under the Prevention of Crime Act. If the hon. and learned Attorney General objected to the definition of his hon. Friend the Member for the City of Cork (Mr. Parnell), he hoped the hon. and learned Gentleman would frame a definition of his own. The present Amendment was only put forward tentatively. They wished, as they said last night, the hon. and learned Attorney General would formulate a definition himself; and they were quite prepared to accept anything he (the Attorney General) would bring forward in reason —they would be prepared to accept anything that would put an end to real spiritual undue influence.

MR. H. H. FOWLER congratulated the Committee that they had to-day arrived at the definition they had not arrived at last night. They were then discussing only half a definition, and if they had come to a division upon it, they would only have made a complete mess of the matter. The issue which the hon. Gentleman the Member for the City of Cork (Mr. Parnell) had raised to-day was this. He was quite willing to accept and incorporate in this Bill every species of undue influence which was mentioned specifically in the Act of 1854; but he proposed to omit the words "or in any other manner practises intimidation." Now, the question the Committee had to decide was, whether they were prepared to insist upon the retention in the clause of the words "or in any other manner practises intimidation." There were two singular facts connected with this sweeping clause. The first was that he could find no reported case in England or Scotland on these words. The only cases that had been raised had been in Ireland. And the second fact was that the hon. and learned Attorney General, in defending the retention of these words, defended them exclusively and solely on the ground of maintaining some check on what he called spiritual interference in elections. Therefore, that brought them face to face with this. Were they to prevent—for it came to that—were they to prevent the clergymen of the Roman Catholic Church exercising in Ireland that influence which the constituency, from religious motives, yielded to them, and which they could not possess without the consent of the constituency? They must go a step farther, and ask themselves, were they prepared to put a Bishop or a clergyman of the Roman Catholic Church, who spoke at an election meeting on behalf of an election candidate, in the position of running the risk of being committed to prison, with or without hard labour, for 12 calendar months? He asked the Liberal Party in the House of Commons whether they were prepared, in the present condition of Ireland, in the present state of public affairs, to endorse that proposition? Just let them see what this spiritual interference was. The hon. Member who preceded him read an extract from the Judgment of Mr. Justice Keogh in the Galway case. That Judgment was law in Ireland. It was a Judgment which every Judge in Ireland respected—"He must not hold out hopes of reward here or hereafter." A clergyman must not say to his congregation—"If you vote for a particular man you will commit a sin, the punishment of which hereafter will be of a certain character." That was held to be intimidation. Let them apply this to their own politics. There was a measure which he hoped would come down to that House very shortly—he must not allude to what had passed in "another place;" but there was a measure which was on its way to this House—which was exciting the fears and indignation of a large number of the clergymen of this country. In a borough, about which he knew something—but the name of which he would not mention, for fear of wounding the feelings of the Representatives of that borough—he noticed that the rector of the town had lately delivered a sermon upon the Marriage with a Deceased Wife's Sister Bill, in which he told his congregation that a man who married his deceased wife's sister would commit an act of adultery, and that a clergyman would be bound to refuse him the Sacraments of the Church. And the rev. gentleman hinted, in language which he (Mr. Fowler) would not quote, the dreadful consequences that would follow such a marriage. The rev. gentleman gave his opinions conscientiously; and it would be his duty, if he believed the Legislature was going to legalize incest, so to tell his congregation, who, of course, might take his opinion for what it was worth. That, however, was not undue influence. It was one of the results of their ordinary public life. It was not one bit worse than what the Nonconformists had done. In 1874 they put the then Liberal Government out of Office, and it could not be denied that in 1880 they re-instated them in Office; and they used in 1880 their religious influence. They then thought, and he still thought, they were discharging a religious duty in doing so. Men held religious opinions much more strongly than political opinions; and he held that if they allowed the right to use religious influence in England they ought to do so in Ireland. By this Bill they were making it a corrupt practice, which involved the loss of his seat to a candidate, involved his disfranchisement for a period of 10 years, and involved actual punishment, with or without hard labour, to a man who made a speech at a public meeting. If the Attorney General could point out any possible act of undue influence, which the other words of the clause did not include, well and good. He (Mr. Fowler) contended that the words "infliction of any injury, damage, harm, or loss" covered any mortal thing that could be conceived. The words "in any other manner practises intimidation" put it in the sole and uncontrolled power of a Judge to maintain that a certain act, or a certain speech, was intimidation. And it must be recollected that, under this Bill, there was no appeal. A Judge's decision was final; it was irrevocable; it was stated the other day it might be possible to put the hon. Gentleman the Member for the City of Cork (Mr. Parnell) out of Parliament for 10 years, on account of a speech made on his behalf by a priest in Ireland. He (Mr. Fowler) was not prepared to observe a pedantic adherence to the words of the Act of 1854. To repeat those words would, he contended, be a palpable injustice to the Irish constituencies, and it would raise a strong feeling in Ireland against that measure. Unless they were intending to cripple the legitimate influence of the pastors and priests over their flocks, unless they were intending to cripple political agitation, which was as justifiable in Ireland as in Mid Lothian, he asserted that they ought, in honesty, to be consistent to their Liberal principles, and strike out the words "or in any other manner practises intimidation." He (Mr. Fowler) hoped the hon. Member for the City of Cork would press this matter to a division; and he trusted to find that the Liberal Party would go with the hon. Gentleman into the Lobby.

Sir CHARLES W. DILKE said, that reference had been made during the debate to the Judgment of Mr. Justice Fitzgerald. In that Judgment the learned Judge laid down most clearly the distinction between the religious influence, of which the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) had spoken, and clerical intimidation. In the Longford case a meeting was held which the Judge spoke of in terms of censure, but which he held to be a perfectly legal proceeding. It was a meeting of the clergy of the county, in which they selected a candidate, and in which they resolved to promote his interest with all their power. Mr. Justice Fitzgerald decided that this was a perfectly legitimate use of their power; and he maintained the election could not be declared void on account of such a meeting. The learned Judge, however, laid down the general principle, which ought to guide them in the consideration of what was the law. He said—

> "In considering what I there call undue clerical influence, it is not my intention in any way to deprecate the proper influence which the clergy have, or by one single word to lessen its legitimate exercise. We cannot forget its wholesome operation, and how often even recently it has been the great bulwark of the community against insurrection and attempts to rebellion. A Catholic priest has, and ought to have, great influence—his position, his sacred character, his superior education, and the identity of his interest with his flock, insure it to him; and that interest insures tenfold force in the conviction of the people that it is exercised for their benefit. A priest may counsel, advise, recommend, entreat, and explain why one candidate should be preferred to another, and may, if he think fit, throw the whole weight of his character into the scale; but he may not appeal to the fears, or terrors, or superstition of those whom he is addressing. He must not hold out hopes of reward here or hereafter, or use threats of temporal injury or disadvantage, or of punishment hereafter. He must not, for instance, threaten to excommunicate, or to withhold the Sacrament, nor should he denounce voting for a particular candidate as a sin."

He (Sir Charles W. Dilke) thought it was impossible in clearer, more dignified, or statesmanlike language to lay down what should be the law on this point.

MR. LEWIS said, that it was a mistake to suppose that this clause would be confined to spiritual intimidation. They all recollected the well-known rabbit case. The proprietor of a large estate had been in the habit of allowing persons connected with the town which he represented to shoot rabbits without paying anything for the privilege. He attended a public meeting during his canvas, and he intimated very strongly that that was an advantage he had been in the habit of conferring on the town; and he made a kind of promise that, if elected, the advantage would be continued. The Judge decided he should lose his seat. He (Mr. Lewis) would put the converse to that case. Suppose, instead of saying what he did, the proprietor of the estate had said —"Well, I wish it to be understood that if my interest in the town is disturbed by my not being returned, I shall withdraw that permission from the persons who have hitherto enjoyed it." That, instead of being bribery, would have been the exercise of undue influence; a far better case of undue influence than any spiritual influence they could imagine. Was the Committee prepared to give that general jurisdiction and power to Judges? Why was it they were discussing, day after day, and week after week, those questions of interpretation? Why was it that, on the one hand, they were continually asking the Government to explain different words which appeared in the Bill? It was that, instead of having small or moderate penalties attaching to the commission of these minor election offences, they had all sorts of heavy penalties, and therefore they were obliged to be more careful. Take the question of undue influence, and look at the state of the law as it now was. A person other than the candidate who committed the offence of undue influence was liable to a fine of £50. The penalty under this Bill was increased greatly, for a man who committed a like offence could be sent to prison with or without hard labour. Was not that a reason why the Legislature should be careful before it sanctioned these heavy punishments? The Attorney General had said there was no interpretation of the present Act of Parliament—the matter was left to the Judges. But that was a greater reason why they should be careful, when the penalties were so heavy, and when not only the liberties, but the lives, of people were at stake. As to spiritual intimidation, everybody who knew the place from which he (Mr. Lewis) sprang, and who knew his relations in the House, would not for a moment suppose that he would be inclined to take a tender view of the subject. But he had never been satisfied—in point of fact he had been shocked—with the decision of Mr. Justice Lawson in the second Galway case, in which the present hon. Member for Dungarvan (Mr. O'Donnell) was unseated. He (Mr. Lewis) ventured to say, that anyone looking at that case would like to draw a veil over his mind politically, when he considered the extraordinary terms of that Judgment. As a Protestant, he (Mr. Lewis) had never been satisfied with the result of the second Galway trial, and he regarded the law as one which ought to be most carefully looked into. He was delighted to hear the noble burst of liberty which had just come from the hon. Gentleman the Member for Wolverhampton (Mr. Fowler) for the first time from the Liberal Benches. He did not think it would be the last. If the Attorney General put on his coat of mail and buckram, if he insisted upon the stringency of this Bill, he would find many bursts of liberty, even from his own side of the House, before that Bill was passed. They heard many grandiloquent expressions from the Treasury Bench, as to the impossibility of putting down bribery and treating without a stringent measure. If they wanted to have their law respected, it must be moderate and sensible in its terms as well as provisions. He (Mr. Lewis) intended to support the Amendment, not in respect of spiritual intimidation, but in connection with the general law; because, as the penalties were increased, it was necessary to have clear and definite law laid down. With all respect to the Judges, he was not disposed to place this matter unreservedly in their hands.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the hon. Gentleman who had just sat down had informed the Committee that one of the reasons why he supported the Amendment was wholly unconnected with spiritual influence; and because at present the offence was finable to the extent of £50 only. If the hon. Gentleman had read the section carefully, he would have seen that the offence was punishable with two years' imprisonment in addition to the fine.

MR. LEWIS: But not with hard labour, at all events.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, they had added hard labour, it was true; but they had reduced the term of imprisonment from two years to one year, and the question of hard labour was left to the Court to decide. With regard to the fine, the law would remain unchanged. The case the hon. Gentleman put was that of a person who was canvassing a constituency, and said to them—"I have been in the habit of allowing you to shoot rabbits on my estate. If you don't vote for me and elect me, you shall shoot my rabbits no longer." He (the Solicitor General) thought that that was a most unhappy illustration, for a more gross, improper, and unjustifiable act of intimidation could not be imagined. The hon. Gentleman seemed to think there was nothing wrong in threatening to withdraw a privilege, if the man who had been in the enjoyment of the privilege did not vote for a particular candidate. Such case he (the Solicitor General) believed would be met by the existing provision. On the strength of such a case as the hon. Member had put, he (Mr. Lewis) intended to vote for the Amendment of the hon. Member for the City of Cork (Mr. Parnell). The hon. Gentleman might find, however, that his illustration would be met by other provisions of the Act, and that his voting for the Amendment would not affect the matter at all. Certainly, the argument used by the hon. Gentleman ought not to induce the Committee to support the Amendment.

MR. DAWSON said, he thought the word "otherwise" would come back to "undue influence;" and as for the quotation read from Mr. Justice Fitzgerald, the Committee would rightly understand that the use of the word "superstition," spoken in regard to the Catholic clergy by a Catholic Judge, would be of no value. It was a most infelicitous quotation on the part of the President of the Local Government Board to the Committee. The word "superstition" was far more insulting coming from a Catholic Judge and applied to Catholic clergyman than it would have been coming from anybody else. He considered it a most unfortunate moment, when the Government were really seeking to renew their relations with Rome, to talk so much about ecclesiastical influence in Ireland. If they were anxious to get rid of ecclesiastical influence, one would have thought that they would not have entered into the negotiations about which hon. Members had heard so much of late. But it seemed, as a matter of fact, that when it was to their interest to use priestly influence, they were only too glad to avail themselves of it; and when it was not to their interest to do so, they would use every endeavour to put a stop to it. He sincerely hoped that Catholics would take note of this. The Irish Members were not afraid of priestly influence—they were not afraid of Catholic influence; and it was most inconsistent to appear afraid of it after what had taken place recently in Rome.

MR. JOSEPH COWEN said, his hon. Friend did not stand upon the mere words of his Amendment, but more upon the sense of it. The main point under discussion was this—the Bill, if it became law as it now stood, would practically have the effect of unseating every Member in the House, from the Prime Minister to the humblest Member; but it would especially apply to hon. Members from Ireland. These hon. Gentlemen held a very anomalous position in the House of Commons; they were not identified with either Party. They had an assurance from a right hon. Gentleman, who was recently a Member of the Government (Mr. John Bright), that they were rebels. Both the Constitutional Parties in that House were against them; and the action of these Irish Gentlemen then was, to a very large extent, opposed to the two Constitutional Parties. Well, if this Bill became law, and the two Constitutional Parties applied it to the Gentlemen from Ireland, it would practically bring about their political annihilation. [An hon. MEMBER: Why?] The hon. Gentleman says why? The law, as it now stood, applied with greater severity than it used formerly to Irish Representatives. The Irish Members belonged to one or other of the Parties in the House, but now they were independent; and with the powerful machinery that the Executive possessed for manufacturing evidence, now that the Irish Members were separated from the Executive, from whatever Party that Executive might be taken, it would be the easiest thing in the world to find opportunities for removing the Irish Members from the House. Hon. Members might say that was a strong interpretation of the clause; that was true, but it was clear to his mind that the provision could be so applied; and he would urge upon the Committee that that was a sufficient reason why they should refuse to accept the proposal. The Judges who had to decide Election Petitions had attained to their present position owing to the political services they had rendered to the Party in power. These Gentlemen were, more or less, connected with the Administration in Ireland; and they were called upon under this clause to deal with purely political offences. Surely it was a great stretch of the imagination to suppose that the class of Gentlemen who had obtained their position through their political services and their political views would deal impartially when called upon to decide political cases. He could easily account for the action of hon. Gentlemen opposite, who strongly insisted upon this Amendment. From the English point of view, he thought it would be quite possible, even in this country, for this clerical and religious influence to be exercised. In the future it was very likely that they would see a much greater use of political power through sectarian agencies than they had seen in the past. Unquestionably, power of this kind could be exercised in England, although, perhaps, not to the same extent that it could be in Ireland; and he would be very glad if the Attorney General could accept either the words proposed or some modification of them.

MR. MACFARLANE said, the hon. Member for Wolverhampton (Mr. H. H. Fowler) had put this case so plainly that there was little else to be said on the subject. The hon. Member had referred to the natural and proper influence that a Catholic priest would exercise on an election question in Ireland; and the best way to illustrate the view of the hon. Member was to take an individual case. Suppose that in connection with the next General Election a Catholic priest, being a friend of one of the candidates, should go upon the platform at one of the candidate's meetings, and say that it would be fatal to the spiritual well-being of the voter if he were to vote for any other candidate. He (Mr. Macfarlane) could conceive a case in which that might be said by a priest with great propriety, and with great truth. Well, to say that which might be fatal to the interests of the other candidate would really be intimidation. The priest would be prophesying evil consequences to the electors, and would in that way be influencing them from voting, or to refrain from taking that course which they might otherwise be inclined to adopt—and surely that would be intimidation—and if the Bill passed in its present form, it would be perfectly possible for an Election Judge to construe an action of this kind into undue influence, and to unseat the Member in consequence of it. It was of no use comparing the case of England with that of Ireland—it was no use to say peace, peace, where there was no peace. If the English people chose to accept the law as laid down in the Bill, well and good; but the Irish people, through their Representatives, very strongly objected to the law as it stood. He (Mr. Macfarlane) had sat in that House many a day during the last three years, and many a night, to listen to long arguments from the Front Ministerial Bench, to show why the law in Ireland should be different to what it was in England; but that was only when it suited hon. Gentlemen and right hon. Gentlemen to show that the laws of the two countries should be dissimilar. Now, the Irish Members were urging what had often been urged by Members of the Government—that the law in this case should be different to what it was in England; that was to say, that while the English people insisted upon the Bill standing as it was for themselves they should have their way; but that as the Irish constituencies were of another opinion the Bill should be altered to suit them. The Government, however, with remarkable inconsistency, objected to the two countries having different laws in this respect; and numberless cases had been produced to show the need for having a uniform law. The right hon. Gentleman the President of the Local Government Board had referred to a statement made by Mr. Justice Fitzgerald in the Longford case, which really had no bearing on this matter whatever. The learned Judge's remarks had reference to a private meeting of priests, at which the candidate was not present; and on that occasion no statement whatever was made that it was in the presence of the candidate. Then, with regard to the opinion of the Judge, everybody knew that the candidates who professed strong political feelings, though perfectly honest in all their actions, were greatly prejudiced by their political views; still, would not this be the case with the Judges also? Would not they be honest in the same way? As human beings, and as men who had probably taken a deep interest in political questions, they would not be able to get rid of their political prejudices, even if they wanted to. What affected every voter and every candidate who held strong views upon political questions must also necessarily affect Judges similarly situated. Every candidate, particularly if he were unsuccessful, was apt to think every influence used against him was an undue influence. Every Member of the Committee must be aware of this—that after every election there were misgivings and complaints, either on this side or that, of undue influence having been used, and rumours were always set on foot to the effect that there was going to be a Petition. It was always an undue influence, even when the influence exerted on behalf of the successful candidate was as right as right could be. In fact, one was reminded of the lines—

> "All is right as right can be,
> That turns a vote from you to me;
> The power is wrong, and most undue,
> That turns a vote from me to you."

There was one undue influence which was not noticed in the Bill, to which the attention of the Committee might very properly be drawn; and that was the promises given by right hon. Gentlemen as to what they would do when they got into Parliament. Could anyone deny that the statements of Cabinet Ministers during their struggle for power at the General Election was a very powerful influence in the country? No doubt it was a powerful influence, and an undue one; and the hon. and learned Gentleman the Attorney General knew it perfectly well. He would not refer to the undue influence exercised by the Prime Minister on the historic constituency of Mid Lothian; but the difficulty in dealing with undue influence of this kind was that it could not be tested until after the person guilty of it had attained to Office. The promises of "Peace, Retrenchment, and Reform" that were made by the Prime Minister on the platform before the General Election could not be shown to be unfulfilled until years after the Election—it could not be shown within any reasonable time after the Election. If the Attorney General would introduce a clause into the Bill disqualifying all Cabinet Ministers who had made use of this undue influence at an election from ever sitting for the same constituency again, and from sitting for any constituency for 10 years, he would be glad to give it his support.

Mr. STEWART MACLIVER said, the Nonconformists of this country had always declared that the same freedom which they claimed for themselves should be conceded to Ireland and to all religious communions. To debar the Irish priests from a moderate and due exercise of their religious influence during election times would be altogether opposed to the feelings of the English Nonconformists. They had always recognized the religious influence exercised by the Church of England and the Roman Catholic Church, equally with that exercised by Nonconformist ministers. He would like to ask the President of the Board of Trade (Mr. Chamberlain), whom he saw in his place, whether any sufficient reason could be urged why a very eminent Nonconformist minister in Birmingham should not exercise the political influence he did exercise at the present moment? He would go further, and ask the right hon. Gentleman whether it was not a fact that no candidate could go into the borough of Birmingham without the approval of this Nonconformist minister? He would ask the right hon. Gentleman whether there was any reason to debar the Roman Catholic priests from using the same influence at election times on behalf of those candidates whom they considered best fitted to advance the interests of their parishioners?

MR. CHAMBERLAIN: My hon. Friend having made a direct appeal to me, I rise to answer, in a very few words, the question he has put. He asks me whether it is not the fact that in my borough, as probably in many other boroughs, great influence is not exercised by a distinguished minister belonging to the Nonconformists? No doubt he referred to Dr. Dale, who is a minister whose high character, whose eloquence, and whose learning have undoubtedly obtained for him very great influence—social, political, and religious—in the borough of Birmingham — an influence which no man is better entitled to. I would answer him at once, and say frankly that there can be no doubt in any election in Birmingham the opinion of Mr. Dale would have a great and deserved weight in every portion of the constituency. I have been sometimes taunted with being the Representative of Dr. Dale, and I have answered that by saying that I am very proud of my constituency. I cannot see the slightest parallel, however, between the influence exercised by Dr. Dale and the kind of clerical influence from which we are trying to protect the electors. The hon. Member for the City of Cork (Mr. Parnell), when he first proposed his Amendment, very candidly stated that there were, no doubt, cases of undue clerical influence.

MR. PARNELL: I said that there had been such cases, but that they had entirely disappeared.

MR. CHAMBERLAIN: They may have disappeared; but the hon. Member will admit that what has been may be again. Surely we shall not be told that Ireland has become so virtuous that this kind of thing will never be practised there again, although it may occur in England. I would ask hon. Gentlemen below the Gangway to bear in mind that there is no comparison between the kind of influence to which the hon. Member for Wolverhampton (Mr. H. H. Fowler) and the hon. Member for Plymouth (Mr. Stewart Macliver) referred and the undue influence exercised by a priest at the altar, when he tells his flock that their future state altogether depends upon their following his instructions; and it is against that that we wish to protect the voter.

MR. GIBSON said, he thought the Committee was under some obligation to the hon. Member for Plymouth (Mr. Macliver) for giving them the opportunity of hearing the right hon. Gentleman the President of the Board of Trade on the subject of his relations with the very eminent clergyman who had been referred to. He must say that from the experience he had had of the right hon. Gentleman's performances in that House, and of his mode of speaking of men and things, he had come to the conclusion that the right hon. Gentleman stood very much in awe of this distinguished divine; and that if the right hon. Gentleman was attracted to the minister by love, that love was tempered somewhat by terror. The Amendment which was now introduced to the notice of the Committee by the hon. Member for the City of Cork (Mr. Parnell) was one which, no doubt, he had never expected the Government to accept. It would be almost impossible for the Government, having regard to the Resolution appearing after this Motion, and to the reasonableness of retaining some such words as those which they were asked to eliminate, to assent to the Amendment. It could not, therefore, be wondered at that the Attorney General, and his distinguished Colleagues who had taken part in this discussion, had argued with considerable force and power against the desirability of their acceding to the Amendment presented to their notice. What was the Amendment? It was all very well to make general statements, and to point to what had happened in particular cases, and what might happen in other cases; but it seemed to him in the highest degree desirable that they should deal with the question in the light of common sense, and consider what were the words that were sought to be excluded from the law, and recognize the description of things which, it was boldly asserted, it was desired to recognize in the future as being no longer illegitimate. That was the real way to look at the question. The Amendment of the hon. Member for the City of Cork practically asked the Committee to affirm that spiritual intimidation should be excluded from all classes of undue influence. [Mr. PARNELL: No, no!] If he was wrong in that statement, he would like to ask, if these words referred to were excluded, what words that remained could be pointed to as being those which could be relied on to exclude illegitimate spiritual influence? [Mr. PARNELL: The Common Law.] He would come to the Common Law in a moment; it seemed to him to be the favourite plank for drowning men. It included all cases which were not grasped within the wide category of temporal violence or temporal loss. He (Mr. Gibson) did not go in for minute refinements of spiritual intimidation; he took up two descriptions of it that appeared in the great Judgments that were so well known to many who were not lawyers. One of these was the Judgment of Mr. Justice Fitzgerald in the Longford case; and he would ask—Did anyone think it would be reasonable to exclude from the category of undue influence the intimidation and action of anyone who denied—it might be to the sick or moribund member of the family of a voter—the consolation of the Sacraments of his Church, or threatened him with excommunication if that voter did not give his vote? Speaking broadly, anyone with the sentiment of religion within his breast would not be so devoid of common sense as to say that such action as that was not action that should be legitimately taken into account. [Mr. PARNELL: It is within the Amendment.] He had read the Amendment with care, and he had devoted considerable attention to the words sought to be excluded from the existing law; and he should like to know what were the words in the Amendment which would cover the particular points to which he had referred. It came to this—that the Committee was asked to exclude from the law words which had held good in the past to prevent persons being threatened with spiritual consequences if they did not vote in a particular way. The hon. Member for the City of Cork had said that he (Mr. Parnell) had left the Common Law definition of intimidation untouched. What was the meaning of intimidation under the Common Law? Surely the hon. Member's argument was one that was destructive of his main contention, because he sought, practically, to get rid of particular consequences that were sought to be attached or expressed in the Electoral Law to spiritual intimidation; while he hesitated to say that it was not right distinctly to retain in the general Common Law of the land such definition. Why did it stop short of that? If it was right to retain in the general Common Law of the land some of the consequences that must attach to undue influence of a spiritual character and undue spiritual intimidation, was it not reasonable that the remaining part of the Common Law of the land should be put in black and white in a Statute which indicated what were to be the classes of undue influence that were to govern in the future, as in the past, the Election Law? For himself, looking at it as reasonably as he could—he was aware that the hon. Member for the City of Cork considered that was an argument for him; and, therefore, he (Mr. Gibson) considered it as much as he could from the hon. Member's point of view—if the argument of the hon. Member for the City of Cork was carried to its logical extent, he ought to propose that spiritual intimidation should be excluded from the Bill in express terms. The hon. Member for Sligo (Mr. Sexton), to whom he always listened with great attention when he rose to address the House, had asked whether it was desirable or proper to exclude the influence of the clergy and religious influence from the conduct of electoral affairs; but that was not the question at all; they were on the word "intimidation," or undue influence. He accepted—as everyone must accept—what had been called by right hon. Gentlemen opopposite the statesmanlike Judgment of Lord Fitzgerald in the Longford case. No doubt, the influence of a clergyman might be used legitimately, as everyone had a right to use a certain amount of influence at an election; but there was a point beyond which they must not go, which would bring them within the Common Law to which the hon. Member for the City of Cork alluded, which could be put in an Act of Parliament, and which everyone who ran could understand. He did not wish to say anything at all disrespectful to the hon. Member for Wolverhampton (Mr. H. H. Fowler); but it seemed to him, he must say, as if in some of his sentences he desired to convey that everyone, no matter what his religion might be, or what his religious character, might use all the religious influence at his disposal, in any manner his intelligence might suggest, on the right side. As the Conservative Members knew the views of the hon. Gentleman, they must be excused for just suspecting that there might be a wrong side also to that question. He could understand the argument of hon. Gentlemen who said that Ireland should have been excluded from the Bill on the ground that the nation was pure. That was a perfectly intelligible position to take up; but it could not be urged that it was desirable to exclude Ireland from the definition of undue influence and intimidation, in consequence of special innocence with reference to those offences. He would not go fully into that question; but he desired to point out that it was possible there might be in Ireland undue influence of the character that had been mentioned in the course of the discussion, and that there was nothing which rendered it absolutely impossible that such undue influence might be found to exist in future. Moreover, without going into any matter of special controversy, he was of opinion that the last few years had shown that the ingenuity and inventive power of the distinguished race that dwelt in Ireland had been able to produce forms of influence which were hardly to be distinguished from terrorism; and, therefore, he was disposed to think that the reasons advanced in favour of the Amendment were not such that Parliament should put into the Bill any definition which did not recognize the coincidence of law and common sense in this matter. Surely, it would be wise and expedient, in face of recent history in Ireland, that they should recognize the possibility of undue influence and intimidation eluding very nearly any definition which might be put in, if they confined themselves to special classes of intimidation. For his own part, he would think very little of the ingenuity and unrivalled intelligence of the Irish nation, which he was bound to hold in high regard, if they could not, with very little difficulty, create a state of facts which would exercise the skill of a future Administration in providing a new definition to cover it.

MR. ARTHUR ARNOLD said, he had never listened to a more inconsequent speech than that of the right hon. and learned Gentleman. The contention of the hon. Member for the City of Cork (Mr. Parnell) was that they should not give up a definition of these offences. The right hon. and learned Gentleman, following generally the view of the Government, had alluded to the case of the Judgment of Mr. Justice Fitzgerald; but he would point out to the Committee that if that case had any connection with the matter at all, it was a strong argument in favour of a definition of undue influence. Why was a definition of spiritual undue influence not proposed? Because it was absurd to estimate damage in the world to come; they might estimate the damage which a man received here; and it was the very essence and substance of the legislation they were now engaged upon to consider whether a man was damaged or injured by being prevented from recording his vote or otherwise? But it was complained that those words were too vague. Now, last night both the right hon. and learned Gentleman on the same Amendment, and the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) said—"When we come to the subject of agency we must take great pains to have a very clear definition." It appeared that there were many Members in all parts of the House who were extremely anxious about clearness in the matter of agency, but who cared nothing at all about the same distinctness in the matter of undue influence. Reference had been made to the interference of the clergy with electoral affairs in this country. It was well known that they were in the habit of addressing themselves in their sermons to the relative merits of Parliamentary candidates; and he had himself, on one occasion, drawn the attention of the Bishop of the diocese to the conduct of the London clergy in this respect; and the reply of the Bishop was—

> "I am not aware of any law which restricts the clergy of the Church of England in the selection of their hortatory topics."

Although he regarded this as a clear impropriety on the part of a Church which enjoyed Establishment in connection with the State, he was not prepared to say that the clergy of a Church otherwise placed should be prevented from using their legitimate influence in matters in which they had such great concern. With regard to the case put by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson), who asked whether any man in that House would stand up and say that so gross, wicked, and abominable an interference as that cited on the part of a Roman Catholic clergyman should be protected by the law, his answer to that was, no; but there should be no liability unless the man influenced could prove temporal damage. It was sad that such things should exist; but, undoubtedly, loss of Church membership, for instance, or some other form of temporal damage, would have to be suffered in order to bring it within the law.

Mr. NEWDEGATE said, he rejoiced that the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had stated his objection to the Amendment of the hon. Member for the City of Cork in such precise terms. He had not been quite able to understand the meaning of the hon. Member for Salford (Mr. Arnold), whom he had always supposed to have an inclination to the study of history; because the hon. Member seemed to have accepted the *dictum* which the President of the Board of Trade laid down the other day at Birmingham—namely, that the study of history was a vain pursuit beyond 100 years anterior to the present age. The hon. Member, also, did not seem quite to understand that there was any difference between the Church of England and the Church of Rome in regard to the exercise of spiritual influence in temporal matters. He (Mr. Newdegate) had been a very anxious supporter of the Public Worship Bill, introduced in order to restrain the tendency, on the part of some of the clergy, to imitate the licence which recognized spiritual interference in temporal matters, and he continued to congratulate himself on the fact that that Act became law. He would not detain the Committee further than to say that he regretted the hon. Member for the City of Cork had not been more happy in the selection of the terms of his Amendment, which made it so open to the fatal objection urged by the right hon. and learned Gentleman (Mr. Gibson) that he should heartily support Her Majesty's Government in their objection to it.

Mr. GORST said, it appeared to him that a great deal of time had been expended unnecessarily in considering the Amendment before the Committee; because the question they had to determine was, whether they were satisfied with the definition of undue influence under the present law, and whether they wished to have it altered? The offence of undue influence was very seldom committed in England under the Ballot Act; because any attempt at it would be almost certain to drive a man to vote, out of spite, in the opposite way to what was wanted. He believed, also, that with regard to Ireland undue influence at elections had almost ceased to operate for the same reason. They were, therefore, dealing with a matter of no great practical importance. Well, then, what fault was there found with the definition in the Act of 1854? He confessed that, having listened to the discussion with great attention, he had been unable to find out what fault was found with it. An hon. Member said it applied to spiritual undue influence; but he would point out that it did nothing of the kind. The law at present applied to spiritual undue influence only when that influence resulted in some temporal consequence. The refusing to a dying person of the Sacrament would be undue spiritual influence, because it would not only be a spiritual terror, but it might be fraught with temporal consequences. Therefore, he again asked why any hon. Member objected to the present definition of undue influence —what the objection was? because at present he did not understand it. Then, in the next place, words ought to be proposed to the Committee which would state that objection clearly. It was confessed that the words proposed by the hon. Member for the City of Cork would not do, because they did not meet the case of undue spiritual influence. On the other hand, there was the definition which had lasted for 30 years without any fault being found with it. Under these circumstances, unless any specific form of definition were forthcoming, he thought the Committee would do well to pass on to the other clauses of the Bill, without attempting to amend the present portion of it.

MR. SEXTON said, he wanted to draw the attention of the Committee to two aspects of the clause. He wished the Committee to observe that the English Judges, when they unseated any Member of Parliament, did so generally on one of the baser forms of corruption —namely, bribery or treating. These were the offences which nearly always formed the subject of Election Petitions in this country; they were unmistakable in their character, and could be easily defined; and, that being so, the Judge was left to the exercise of his judgment with regard to them without any complaint, because he had no greater freedom of interpretation than belonged to him justly as the interpreter of the law. But in the case of Ireland the offence on account of which elections were generally voided was undue influence; it was not alleged that bribery had been, to any large extent, resorted to in that country. Therefore, while the Englishman was protected, owing to the definable character of the offence most frequently committed in England, the Irishman was left at the mercy of the Irish Judge, by the Legislature refusing to define the offence on account of which Members for Ireland were most generally unseated. He could not agree with the views of the hon. Member for Kilkenny (Mr. Marum) upon this point, and he had frequently found himself at variance with him in that House with reference to it. He would only say that the Irish Judges were a body of politicians; and, whatever might be their views with regard to each other as Whigs or Tories, they all hated and detested the ideas of those who composed the Irish National Party, and in the case of an Election Petition coming before them they would, no doubt, be irresistibly biassed by their political views. He asked whether they were tamely to submit to the imposition of a law which placed their political existence at the mercy of a set of partizans as thorough and extreme as were to be found in Ireland? It was not at all certain that the effects of this system in Ireland would be such as would meet with the approval of the Government. If the Members of the Irish National Party were excluded from political life by the operation of the present clause in its unamended form, he had no doubt whatever that the Government would regret that no concession had been made to the reasonable demand of his hon. Friend the Member for the City of Cork (Mr. Parnell). What was the punishment inflicted on a person guilty of the offence? He was liable, if an elected Member, to be displaced from his seat during his life, so far as the representation of his constituency was concerned, and he was disabled from entering that House as a Representative of any constituency for 10 years. With regard to agency, they had from the Attorney General a statement that a person who happened to speak on behalf of a candidate was not necessarily an agent. But, on the other hand, they had the statement of one of the Irish Judges that any speaker who concerned himself at an election on behalf of a candidate made that candidate practically responsible for the language he used, and took upon himself the capacity and responsibility of an agent. Would anyone say that a candidate for a Parliamentary seat, in England or Ireland, was able to govern the *personnel* of these speakers, or that he was able to control their sentiments, or the language in which they expressed them? Such a thing was impossible. And yet this undefined offence of undue influence committed by an agent was sufficient to deprive an elected candidate of the right of presenting himself as a candidate for a county or borough for a period of seven years. Now, if the person guilty of this offence were not a Member of Parliament or a candidate, but only an elector, in that case he lost his right of voting at any election, Parliamentary or otherwise, for seven years; and if he held any office he lost that office, and was deprived of the right of holding any other for a period of seven years. In addition to this, two classes of penalties, which referred specially to candidates and electors, any person whatever, whether a candidate, a Member of that House, an elector, or any ordinary citizen, by falling within any of these categories of the Bill, rendered himself liable to be sent to gaol for 12 months, with or without hard labour, and also to be fined a sum of money not exceeding £200. Now, the sole claim which his hon. Friend and his supporters made on the Committee was that, in regard to the offence upon which Election Petitions in Ireland were chiefly founded, some definition should be included in the clause, in order to protect candidates of the Irish National Party from the straining of the law on the part of Judges who detested their political views —who were willing to force the provisions of the law to the utmost extent against them. All they asked for was that this undefined provision should receive some definition in the Act, so that candidates and others interested in Parliamentary elections should understand what they were entitled to say, and what the law permitted them to do. His hon. Friend the Member for the City of Cork had last night submitted to the Committee a definition framed in the language of the eminent Judge—Justice Willes—who tried the Lichfield case. He (Mr. Sexton) had listened to the speech of the Attorney General for Ireland, and he was unable to discover that he found any fault with the definition of his hon. Friend, except that it did not include corrupt promises or inducements; but these, he believed, could be fairly dealt with under the head of bribery. However, his hon. Friend, conscious of the importance of satisfying the Committee, and anxious to meet any objection, even though it might seem to be irrational to the minds of everyone except the occupants of the Treasury Bench, presented a new definition; and, instead of using the language of the learned Judge, he used the language of the Act itself, to which the learned Judge had referred. His hon. Friend proposed to leave out from line 26 of the Bill the words "and bribery, undue influence," in order to insert—

> "And the making use of, or threatening to make use of, any force, violence, or restraint, or the inflicting, or threatening to inflict any injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or the impeding or preventing by abduction, duress, or any fraudulent device or contrivance the free exercise of the franchise of any voter, so as thereby to compel or prevail upon any voter either to give or refrain from giving his votes at any election, and also bribery."

He conceived that any form of spiritual intimidation against which it was necessary to provide was included in the terms injury, damage, harm, or loss. What was the meaning of those words? They meant what was conceived to be injury, damage, harm, or loss in the mind of the person who experienced it; because if a man did not consider in his own mind that he had suffered injury he was not injured. He thought that such intimidation as related to the fear of hell, or the loss of salvation, which might result from threats held out by clergymen, would be included in that definition; if not, they should be dealt with in a separate Act. The Attorney General had made three minor objections to the Amendment of his hon. Friend; and he was bound to express his astonishment at the language which the hon. and learned Gentleman had employed. He thought it wrong for the Attorney General, on the part of the Government, to take up the position of irreconcilable critic, and confine himself to cold criticism as to the incompleteness of the definition of his hon. Friend. He had listened attentively to the powerful speeches of the hon. Members for Wolverhampton (Mr. H. H. Fowler), Newcastle (Mr. J. Cowen), Salford (Mr. Arnold), and Plymouth (Mr. Macliver), all of whom seemed to think that the duty of the Attorney General lay in applying a definition, rather than picking holes in that which had been submitted to the Government. If anyone in that House would find him a fifth noun, other than the four he had cited, which would offer any new idea, he, on the part of his hon. Friend, would be happy to introduce it into the Amendment. The four nouns, which to his mind included every conceivable form of injury which could be sustained by any man, had been inserted in the Amendment of his hon. Friend by lawyers as able as the Attorney General himself; and he invited the hon. and learned Gentleman to furnish another description of intimidation which those words left uncovered. If the intention was to send to prison with hard labour priests who used the influence which legitimately belonged to them, and which differed essentially from the influence which belonged to an ordinary layman, he could tell Her Majesty's Government that they would find the game not worth the candle. And he said, further, that if the priests of Ireland chose to exercise what the Government considered to be undue influence—if they chose to go beyond a fair appeal to the conscience of the voter, and apply themselves to the limitation of his free will, they would be punished; but, in restricting the use of this legitimate influence, the Government would find that they were legislating to deal with the impossible—that was to say, they were endeavouring to deal with a state of things which could not be dealt with by any secular law. They would find that the tie between the influence of the priest and the conscience of the lay Catholic was such that if the priest chose to exercise what was called undue influence he could exercise it in spite of the law. Would it be denied that the influence of a priest was different and superior to the influence of a layman? The Government must satisfy the people that the law was opposed in no respect to their spiritual advisers. He repeated, that the offences on which Election Petitions in England were principally founded were strictly defined; that the Judges were left in strict discharge of their duty; while in Ireland any violent partizan now on the Bench, or who should be appointed hereafter by an unscrupulous Ministry, could, by a dishonest use of the law, dispose of political opponents whom the Government themselves might not be able to get rid of. He considered that the Government resembled the famous race of the Bourbons, in that they learnt nothing. But they differed from them in respect of forgetting everything. He should have thought that the lessons recently learnt in Ireland would have taught them the deplorable effects which followed upon any attempt to take away the thoughts of the people from Constitutional and peaceable action.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he hoped every Member of the Committee had heard the very remarkable speech of the hon. Member who had just sat down. He had given up the whole case, and had abandoned every argument that had been used in favour of the Amendment. What did the hon. Gentleman say? He had taken up the Amendment of the hon. Member for the City of Cork, and expressed the opinion that under the words as they stood—"injury, damage, harm, or loss"—every case of undue spiritual influence could be ranged. The hon. Member for Wolverhampton said that undue spiritual influence ought not to be dealt with by legislation.

MR. H. H. FOWLER: I said spiritual influence, not undue spiritual influence.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that, according to the hon. Member for Wolverhampton, spiritual influence ought to be left out of the definition. But what were they discussing, if the statement of the hon. Member for Sligo were correct, that the Amendment of the hon. Member for the City of Cork dealt with the case of undue spiritual influence; why had they been discussing at such length whether or not there ought to be words to deal with it? The whole thing had now become a question of words. The hon. Members for Plymouth (Mr. Maclver), Salford (Mr. Arnold), and Wolverhampton (Mr. H. H. Fowler), had been saying that they ought to leave such cases undealt with by legislation. He himself thought that the words "injury, damage, harm, or loss," meant temporal injury, damage, harm, or loss; but that they did not mean what a man would suffer hereafter; and, inasmuch as the hon. Member for Sligo said that undue spiritual influence ought to be deal with, if the Committee left in the words as they existed in the Act of 1854 it would be dealt with. He could not consent, on the part of the Government, to say that they should declare by express legislation that undue spiritual influence should remain unchecked. Just one word as to what the hon. Member for Newcastle (Mr. J. Cowen) had said. Let the Committee recollect that it was the present law—the Act of 1854, in fact—that was being attacked, and which would still remain the law even if this Bill did not pass, and not the law that was proposed by the present Bill. When this law was last discussed not one word fell from any Irish Member by way of objection to this part of the Act. What had occurred since then to give rise to the present opposition to the words of the Act? The hon. Member for Longford (Mr. Justin M'Carthy) interrupted by saying that at the time the Leaders of the Irish Party were in prison. But that, he thought, was a mistake. They discussed this Bill on the 15th of May last year; and he was not aware that any Member of the House was at that time absent from any such cause as the hon. Member stated. No objection was raised to this provision notwithstanding; and yet, for some reason, now, for the first time, objection was made to it.

Mr. PARNELL said, the hon. and learned Gentleman had asked what it was they objected to in the old definition? He thought they had already explained more than once what their objection was to the definiton in the Act of 1854. They objected to the old definition, inasmuch as they considered it wider and more vague than the necessities of the case required; and because it would enable the Irish Judges, as it had enabled them in the past, to interfere with the Constitutional and legitimate rights both of candidates and electors. The hon. and learned Gentleman asked them whether they would not desire that the refusal to administer the Sacrament should constitute undue influence? He was perfectly willing to say that it should, although he did not think it was a kind of undue influence that had ever been used in Ireland, or would ever be used in Ireland. Irish Members, as they had always a right to do, said to the Government—"Insert in your clause that the refusal to administer the Sacrament, or any threat of spiritual terror or spiritual intimidation, shall be undue influence in this Act, and then we shall know where we stand." They asked for a definition in this matter of spiritual intimidation. The Act 17 & 18 *Vict.* was full of definitions, until it came to the point of restricting the rights and privileges of Irish electors and Members. There it was studiously vague; and their objection was to retain such vague expressions as had enabled Judge Keogh, in the case of Major Nolan, and Judge Lawson, in the case of Mr. O'Donnell, to strain the law to an extent that would be impossible in England; Mr. O'Donnell having been debarred from sitting for his constituency for three years, because some young priest took a banner and waved it over his head in the public street. When the hon. and learned Gentleman found fault with his first Amendment he withdrew it, and substituted another. The only forms of spiritual intimidation that could occur were threats of excommunication and threats of spiritual terror; and these were matters which they were willing should be inserted in this Amendment.

Mr. SYNAN said, the hon. Member for the City of Cork had no other object in view than to make this matter quite clear. In his opinion, it would be the duty of the Attorney General to place a clear definition in the clause; it was not his business to make the matter ambiguous and unintelligible, and to leave Irish Members entirely in the hands of the Irish Executive. This was a matter of life and death to the popular Representatives of Ireland. They did not stand there for the purpose of defending anything like illegal influence, whether it were undue, temporal, or spiritual influence. But what use had been made of the ambiguous wording of the Act of Parliament, "or in any other manner practise intimidation?" Why, no man who had read the Galway case in England knew more about that matter than the hon. and learned Gentleman, for it was he who defended Judge Keogh in that House about 10 years ago. They wanted to prevent the recurrence of what happened in the case of the Galway County Election, which, unless they introduced a clear definition into the Bill, was, perhaps, more likely to occur now than it was at the time referred to. The same use was made of the words in question in the case of the Galway Borough Election; and because they asked for a definition of the words the hon. and learned Gentleman threw upon them the whole responsibility in the matter, instead of undertaking it himself. He was not there for the purpose of casting any imputation upon the Irish Bench. It was unnecessary for him to do so; but he must say that the Irish Bench was not under the influence of public opinion so much as the English

Bench. An English Judge would no more violate the public opinion of the country by giving such a Judgment as that of Judge Keogh than he would by vacating his seat altogether. It was because the English Judges considered themselves amenable to public opinion that their Judgments were respected. On the other hand, in Ireland, political opinions ran high; the Judges belonged to a small minority, and they thought that the popular Party were injurious to the Party interests of that minority. He and his hon. Friends were willing to accept a definition of the words from the Attorney General or anybody else; and he thought the best course would be to make the words *ejusdem generis* with those which preceded them. When intimidation in any form was dealt with they desired to know what constituted that offence, so that everyone who ran might read, and be alive to the consequences of their acts; and so that if a popular candidate in Ireland received priestly support, the priest might know the length to which he might go, without injuring the popular cause, or the candidate in whose favour he came forward. He did not see what difficulty there could be in the way of this. Where there was a will there was a way; and he did not think that the Attorney General would have to spend much time in shaping these general words so as to control and limit them in a manner which would render the recurrence of what took place in the Galway cases impossible in future. He would leave the Government to solve the matter in their own way; but they were resolved that these words should not stand undefined, as they were at present, for the purpose of placing in the hands of the minority in Ireland an engine to crush the rights of the Irish popular Representatives.

MR. W. FOWLER said, he thought that the aspect of the whole question had changed since hon. Members opposite had expressed approval of the introduction into the clause of a definition of spiritual influence. As he understood the matter, hon. Members opposite only wished the clause to be definite. Their contention was that, although the words had done no harm in England, they had done great harm in Ireland; and that, he thought, was evidence that there was inconvenience in the words, and that the priesthood had not had that amount of freedom in regard to political influence which it was considered they ought to have. It seemed to him that there was not so very much difference between hon. Members on this point; and he hoped the Attorney General would bring forward something to get them out of the difficulty.

MR. MOLLOY said, the Attorney General seemed to remain obstinate because, as he had said, he thought there was something behind this proposal. That was exactly the opinion he had formed of the Attorney General's attitude; that there was something behind all this which he could not see; and the long consultations that had taken place between the Members of the Treasury Bench to-day confirmed that opinion. One peculiar characteristic of this debate was this—the hon. Member for Wolverhampton (Mr. H. H. Fowler) made a speech which received great attention from the whole Committee. Three right hon. and learned Gentlemen got up to answer that speech—the right hon. and learned Member for the University of Dublin (Mr. Gibson), who, as usual, resorted to his old tactics, which meant nothing. He merely described a gross case, and called upon the Committee to assume that everything else was equally gross. Those were the old tactics, which had been seen so well during the discussions on the Coercion Bill. Then the President of the Local Government Board got up with an air of settling the whole question, and argued against the hon. Member for Wolverhampton, saying it was impossible to give a better definition of these words than the definition of Lord Justice Fitzgerald. Then the Solicitor General rose to explain the matter; and certainly his speech was one of the most extraordinary speeches, perhaps, made in that House for a very long time. There was only point in that speech, and he must again call attention to it—namely, that, in his opinion, if some Gentleman being a candidate, having allowed an elector to shoot rabbits on his estate, withdrew that permission in consequence of the election, that would be intimidation within the meaning of the Act. If the Attorney General would just state his view, that would shorten this debate very much. If he had done that last night the Committee would probably have come to a conclusion; but during the whole discussion he had fenced with the subject, and had declined, for an instant, to face the only difficulty which was involved. The hon. Member for Cambridge (Mr. W. Fowler), and another hon. Member sitting behind the Government, rose and told the Attorney General, in distinct language, what was the point at issue; but the Attorney General declined to take any notice, and, like the Solicitor General, treated the Committee to a disquisition upon something else, in order to avoid—and they had avoided with considerable success — the sole point in dispute. Would the Attorney General now state what he meant by the clause he proposed, or not? Until he did so this debate would be continued. He meant that he and his hon. Friends must continue to call upon the Attorney General to give the explanation he had promised on the previous day. For the sake of peace, and in order that they might arrive at some conclusion and make progress, he again invited the Attorney General to explain, in simple language, what, in his mind, was the definition of this clause.

Mr. RYLANDS said, he was sure he should be supported by the Committee when he expressed his regret that so much time had been occupied by this matter; and he would venture to submit to the Government, in order that this Bill might be passed and no more time be wasted, that they should show a disposition to meet, as far as possible, reasonable objections. If this Bill was to make progress, there must not be this evident disposition to occupy an unyielding position. He believed there was a general feeling in favour of some modification of the Bill; and it would be a great misfortune if the Government refused to come to some arrangement. He had considered this matter in a perfectly impartial manner; and he could not help feeling that while this clause, as it stood, was entirely unobjectionable, so far as England was concerned, yet experience had shown that latitude of interpretation allowed to the Judges in Ireland only excited alarm among Irishmen. He appealed to the Attorney General to meet the point raised by the Irish Members, if possible, by using words which would satisfy them without destroying the value of the clause, which would not strike at what was fair and legitimate action on the part of the electors, and yet would not enable a Judge, who might be actuated by strong Party feeling, as in the case of Mr. Justice Keogh, to misuse the clause. They must be careful not to allow the clause to enable a future Judge to act in that way.

Dr. COMMINS said, he thought it well that the Committee should see exactly how they stood. There were, at the outset, an imposing series of penalties which were not imposed when the present Act was passed. When this definition of undue influence was given in the Act of 1854 the Ballot Act did not exist, and there was a great variety of undue influence and intimidation; but, as everybody knew, the Ballot Act had completely freed the electors from all chance of intimidation. Under the Ballot Act, no matter what influence might be exercised beforehand, the voter went to the ballot box perfectly free from any kind of intimidation. There was no kind of intimidation which he could not set at naught, and vote as his conscience or his conviction dictated. Practically, therefore, the only species of intimidation now in existence was physical force — making a voter drunk, or by some other physical means preventing his exercising his free vote. That being so, this provision was a great deal wider than was required; and it was, therefore, proposed to adopt a definition of undue influence. The definition in the Act of 1854 was really no definition. It included all the instances which were enumerated in the 5th section of that Act, and was framed by probably the greatest lawyer who had sat on the English Bench in modern times—Mr. Justice Willes; and he gave that not merely as part of a definition, as the Attorney General seemed to think, but as the true definition of the offences created under the Act. What the Irish Members wanted was not only to prevent undue influence by those who wished to influence votes, but undue influence by the Irish Judges. It had been quite conceded that there had been undue influence in the Galway decision; that the Judgment could not be sustained in common sense or in law, and that it was revolting to the whole moral sense of the people. It was easy to understand how Judges might abuse their power; and the Irish Members wished to take away from them not only the temptation, but the facilities to use that power. The Attorney General said he wanted to provide not against spiritual influence as it was known, but against some unknown terror which he was not able to describe, and knew nothing of. That was the strangest principle of legislation ever laid down—that they were to make provision by Act of Parliament, not against known dangers which could be described, and of which instances could be cited, but against some unknown and mysterious danger which was incapable of definition, and which it puzzled even the acute mind of the Attorney General to imagine. They must not legislate against imaginary dangers, but against actual dangers which might occur; and if this definition was not sufficient to cover spiritual influence, they should have words which would, at least, enable them to understand what spiritual influence was. Would the Attorney General accept the Judgment of Mr. Justice Fitzgerald? He thought the hon. and learned Gentleman was too wise to do that; but that showed the danger of having general words that rounded off the middle of a period, or filled up a blank in the drafting, when they could be turned to such use as they had been by Mr. Justice Fitzgerald. In the Longford case, that Judge laid it down that it was undue influence to hold out hopes of reward hereafter to an elector, as a consequence of the way in which he might exercise his vote. Would any hon. Member, or man of common sense outside the House, say that that was a thing which could be prohibited under penal consequences in an Act of Parliament—that a priest, whose duty it was to direct the morals of his flock, should not say what was the action which would entail consequences hereafter? Mr. Justice Fitzgerald, however, went further, and said it could not be allowed to direct anyone that voting for a particular candidate was a sin which would bring down punishment hereafter. It was such a definition as this—which had been so often spoken of, and with approval—that would render it impossible to give advice to any man as to his duty. That Judgment showed clearly enough the difficulty of adopting the words which were in the Act of 1854 without augmenting the powers of the Judges to an undue extent; but the words now proposed were, he thought, enough to cover every act of spiritual intimidation that might occur. What was an act of spiritual intimidation? It not only did harm and damage, but harm of a most serious kind; and it was recognized that mental torture and pain came within the cognizance of the Courts quite as clearly as physical and bodily pain. Any act which inflicted mental pain, such as excommunication, or any act which exposed a man to the contempt of his fellow-subjects or co-religionists, clearly came under the words of the Act of 1854, and under the definition now offered. They inflicted injury, harm, and damage; they inflicted mental torture, and exposed the man to odium and contempt; and any act which did that must come within the definition. But to make advice and instruction acts of spiritual intimidation was nothing more than the re-introduction of religious disabilities of a most offensive kind—and in a covert way. He hoped the Committee would accept the definition of undue influence offered by the hon. Member for the City of Cork; but if the Attorney General was able to produce any better words, which would include undue spiritual influence, and would, at the same time, say what that influence was, he would give him his vote, for he was as desirous of seeing undue spiritual influence put down quite as much as any other sort of undue influence.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought that, up to the present time, the Government could not be reproached with having wasted any time at their disposal. To the view that undue spiritual influence should remain unchecked they entirely dissented, and to that they would remain consistently opposed. He understood the hon. Member for Sligo (Mr. Sexton) to say that he was desirous that such spiritual influence should be checked by legislation, and the hon. Member for the City of Cork to say very distinctly that he would be willing to insert words, saying that not only temporal but spiritual intimidation should be repressed by legislation. But those were not the views presented up to the time when the Government spoke upon the point; but if hon. Members meant what they seemed to mean the Government were at one with them. What, then, were they now discussing, except a mere form of words? The hon. Member for the City of Cork sought to strike out general words. He had thought this matter out; and, under the general words, it did not seem to him that there was any intimidation other than spiritual intimidation, while every other kind of intimidation was left to the express words of the Act of 1854. If they were of one mind, he could not possibly accept the proposed words. It required most careful consideration to say how the intention to meet every kind of intimidation was to be carried out; but until he heard something to the contrary it seemed to him that they were discussing nothing but mere words.

Mr. SEXTON said, he had stated distinctly that, whatever was undue influence, an attempt to intimidate a voter, no matter from what source it proceeded, should be checked.

The ATTORNEY GENERAL (Sir Henry James) said, of course they were dealing with what was undue — what was not undue would be no offence. The hon. Member for the City of Cork had admitted that he was willing to check undue spiritual influence; and if he and the Government were now in agreement, ought they not to demonstrate that agreement and make it clear and decided? If there was anything in the general words besides spiritual influence some hon. Member would, perhaps, suggest it; but, at the present moment, he and his right hon. and learned Friend the Attorney General for Ireland could only see that those words covered spiritual intimidation, and that the two hon. Members opposite were willing to check.

Mr. JOSEPH COWEN: Undue influence in the estimation of the Judge.

The ATTORNEY GENERAL (Sir Henry James) said, he did not know what that meant. The Judge had to determine all through these clauses what was undue. They had now had a great deal of discussion upon this matter, and he hoped they might agree. The only course which occurred to him was this— he would ask the hon. Member for the City of Cork to withdraw his Amendment for the present; he would ask the Committee, on the other hand, to insert the words "undue influence," striking out the first words "treating and," so that the clause would read "undue influence as defined by this Act." A clause could then be brought up defining "undue influence;" and if the hon. Member was sincere in allowing all undue spiritual influence to be dealt with, a new clause should be brought up in which undue spiritual influence as well as undue temporal influence could be dealt with. If hon. Members were sincere that arrangement could be carried out; and he hoped the Committee would make an attempt to come to an agreement.

Sir R. ASSHETON CROSS said, although he was glad to take any course which would expedite the passing of the Bill, the Government could not expect him to give an undertaking to pursue any particular course until he saw the words of the Amendment, which they now understood would be put on the Paper by the Government themselves. He and his hon. Friends must reserve their judgment upon the Government's proposed Amendment until they saw it in black and white.

Mr. PARNELL said, he must also reserve to himself the same right that the right hon. Gentleman had just reserved to himself—namely, to see what the words were which the Government brought up before expressing any judgment. He accepted the proposition of the hon. and learned Gentleman the Attorney General; but he would make one suggestion for his consideration, and that was that, instead of introducing the definition as a new clause, he (the Attorney General) should insert it as a sub-section to that clause. That would enable the Committee to take the matter up while the debate was fresh in their recollection; whereas, if it were postponed until the time for new clauses, some time would necessarily elapse before they were ready to deal with the matter. Of course, in the proposed new clause, they would expect the hon. and learned Gentleman the Attorney General to define undue influence, both spiritual and temporal.

Mr. P. MARTIN said, he thought it desirable it should now be definitely stated whether the Government Amendment would be brought up as a subsection or as a new clause? If the proposed Amendment was presented as a new clause, he feared the benefit of the recent discussion would be in great part lost. There had been a good deal of misunderstanding during the course of the debate. At last, however, a proposition had been made that, by plain and definite words, the wide discretion of the Judges should be restrained, and that they should be prevented in the future from holding that the exercise of legitimate spiritual influence amounted to undue influence. The statements made were now fresh in their recollection. It was right that there should be as short an interval as possible in proceeding to consider the words which it was suggested would give effect to the understanding in accordance with which the Amendment of the hon. Member for the City of Cork (Mr. Parnell) was to be withdrawn.

SIR R. ASSHETON CROSS said, he thought it was reasonable that they should have an understanding, before parting with the subject, as to whether the Amendment would be brought up as a sub-section or as a new clause? They certainly ought to decide on what the actual crime was before they dealt with the penalties. It was quite clear they could not deal with the penalties until they knew to what crimes they were attached.

SIR JOSEPH M'KENNA said, that, so far as he could judge, this was a mere dispute about words. They were laying down what should be an offence and what should not; and, therefore, words were a very great element in the case. What was objected to was that the words should be left so loose that any Court or Tribunal might interpret them as it liked. They wanted such a description of the offence which would vitiate an election, or subject a man to the severe pains and penalties under the Bill, as would commend itself to the common sense of the House. If this Amendment were withdrawn, on the understanding that something that was not yet before them—and which might not have the character they hoped it would have—was brought in, he should like to know what position they would be placed in? Undue spiritual influence was a very vague expression; and it certainly ought to be understood that the Attorney General would, in his new clause, provide a proper definition of the term.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he quite saw the force of what had just been said. They had had a very long discussion, and it would be a pity that its effect should be lost. He would, therefore, accede to the wishes of hon. Members, and would prepare a clause for insertion as a subsection. The time was short before Monday morning; but he would do his best to draft a clause and put it upon the Paper by that time.

MR. H. H. FOWLER said, he thought it was well that they should know exactly where they were. The Amendment was practically to leave out "or in any other manner practises intimidation." He considered that the words "in any manner practises intimidation" allowed the Judge to interpret legitimate spiritual influence and legitimate political agitation as undue influence. The President of the Local Government Board (Sir Charles W. Dilke), in his very fair and temperate speech, in answer to his (Mr. H. H. Fowler's) remarks, quoted the words of Lord Justice Fitzgerald. Lord Justice Fitzgerald said it was undue influence for a clergyman to say to a man, if he voted for a particular candidate, it would be a sin. Now, upon that point, he (Mr. H. H. Fowler) could have no common ground with the Attorney General, if that was what the Attorney General meant; because he (Mr. H. H. Fowler) considered that a clergyman of the Church of England, or a clergyman of the Roman Catholic Church, or of any other Church, was perfectly right in saying to a man that, in his opinion, it was a sin to vote for any particular candidate. It was one of the conditions of English public life, both religious and political; and to attempt to prohibit it, and make a clergyman liable for 12 months' imprisonment if he said such a thing, was what he (Mr. H. H. Fowler) was not prepared to assent to. He hoped that the Attorney General, in preparing the new clause, would take care to see that a clergyman should not be liable to punishment for the inevitable influence which religious teachers would exercise upon elections.

MR. BIGGAR submitted it would be a legitimate thing for any clergyman to say to a man that if he supported the Affirmation Bill, for instance, he would be liable to certain penalties, not only in this world, but certainly in the next. It was perfectly plain that, under the

Bill as it now stood, a clergyman would be precluded from offering any opinion at the time of an election.

Amendment, by leave, *withdrawn.*

THE ATTORNEY GENERAL (Sir HENRY JAMES) then moved, in order to carry out the views he had expressed, to insert, after the word "treating," in line 25, "and undue influence as defined by this Act."

Amendment proposed, in page 1, line 25, after the word "treating," to insert the words "and undue influence as defined by this Act."—(*Mr. Attorney General.*)

Question proposed, "That those words be there inserted."

Amendment *agreed to.*

THE ATTORNEY GENERAL (Sir HENRY JAMES) then moved to omit the words in line 26, "undue influence, and."

Amendment proposed, in page 1, line 26, to leave out the words "undue influence, and."—(*Mr. Attorney General.*)

Question, "That the words 'undue influence, and,' stand part of the Clause," put, and *negatived.*

MR. GIBSON said, the Amendment which he had to propose was one of some importance. It was very inconvenient that the offences which were made serious and grave under this Act should be brought to the mind of people by reference to other Statutes. All he (Mr. Gibson) asked to do by this Amendment was, that the offences of bribery, personation, aiding and abetting, counselling, and procuring the commission of such offences, which were offences within the meaning of the Corrupt Practices Prevention Act, 1854, as amended by this Act, should be set out in the Schedule of the Act. In that case, anyone turning to the Schedule could find out what were the offences referred to.

Amendment proposed, in page 2, line 1, after the word "Act," to insert the words "and as set out in the Schedule hereto."—(*Mr. Gibson.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought the suggestion of the right hon. and learned Gentleman was a very valuable one. He, however, was not disposed to accept it in its entirety; but, to meet the views of the right hon. and learned Gentleman, he would propose to leave out the words "by the Corrupt Practices Prevention Acts," and say "in the sections of the Corrupt Practices Prevention Act set forth in the third Schedule of this Act." He thought that would be a more useful way of referring to the Schedule.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 1, line 28, to leave out the words "by the Corrupt Practices Prevention Acts."—(*Mr. Attorney General.*)

Question, "That the words 'by the Corrupt Practices Prevention Acts,' stand part of the Clause," put, and *negatived.*

Amendment proposed, in page 2, line 1, after the word "Act," to insert the words "in the sections of the Corrupt Practices Prevention Act set forth in the third Schedule of this Act." —(*Mr. Attorney General.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. LEWIS proposed to move the omission of the words, in page 2, lines 1 and 2, "or are recognized by the Common Law or the law of Parliament." It seemed to him that it was necessary to omit those words, in order to fit in with the words the Attorney General had just now moved. At all events, he should like to hear from the Government what offences there were, *plus* those stated in the Corrupt Practices Prevention Act, which would come in the definition which had already been passed by the Committee.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had no objection to strike out the words "or the law."

MR. LEWIS said, it was a very common practice for lawyers, when they could not find any particular Act under which an offence came, to say—"Oh, it is against the Common Law." What the Committee was anxious to know was, what the offences were with which they could possibly be charged under this beneficent and magnificent Bill, as the President of the Local Government Board (Sir Charles W. Dilke) described it the other day at Shepherd's Bush. He (Mr.

Lewis), however, considered this a Bill of which every Member of the House of Commons ought to be ashamed. [*Cries of* "Question!"] Was there any credit in passing such an Act of Parliament? The introduction of the Bill was, practically, an admission by 658 English Gentlemen that they could not conduct their elections properly; that it was necessary to tie their hands, in order to keep them out of their own pockets. As a matter of fact, that was a degrading operation they were going through. The Commons House of Parliament had relegated the trial of Election Petitions to the Courts of the country; and, therefore, they ought to be particularly careful about what they were doing. With all these pains and penalties hanging round their necks they ought to avoid all vagueness under which punishment and evil consequences might ensue. He considered there was every reason why his Amendment should be adopted.

Amendment proposed, in page 2, lines 1 and 2, to leave out the words "or are recognized by the Common Law or the law of Parliament."—(*Mr. Lewis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he hoped the Committee would retain these words.

MR. PARNELL doubted whether it was worth the while of the Attorney General to keep to these words, or attach very much importance to them; and observed that, as the clause had been constructed by the Amendments made to it, the question of the offences which were to be recognized by the Common Law of England or the law of Parliament would be narrowed to the three offences of bribery, personation, and aiding, abetting, and counselling personation.

MR. MARUM said, there were two distinct and separate questions involved in this Amendment. One was as to the question of offences as recognized by the Common Law, and that was the one now in dispute. That was very vague; but, on the other hand, it would include possible corruption, and that might be desired by some who wished to extend the scope of the Bill. The second point was with regard to the law of Parliament. Minors, according to the Common Law of Parliament, could and did sit in that House by virtue of Statute Law, and it was by Statute Law that they were excluded. He had an Amendment down defining the law of Parliament, because he took it that a Resolution of the House was not the law of Parliament, and certainly not the law of the three Estates of the Realm. A Resolution had not the force of an Act, and could not be relied upon as Statute Law. He would request the hon. Member for Londonderry (Mr. Lewis) to bring his Amendment to bear on the words "as are recognized by the Common Law," and allow the words after "law of Parliament" to be retained, because, otherwise, his Amendment would be cut away.

MR. WARTON said, he thought the Attorney General would run some little risk by retaining these words of injury to what he wished to preserve. He was quite aware of the Judgment of Baron Bramwell, and of the fact that that House had chosen to delegate to the Judges a certain amount of jurisdiction, although it still retained jurisdiction over elections. But he was prepared to hold that there was some kind of Common Law of Parliament still existing; but the way in which the section had been drawn would inflict some harm on the Common Law of Parliament which still existed. They had now got two groups of offences. The first consisted of treating and undue influence, as defined by this Act; and the second consisted of bribery, personation, and aiding and abetting personation, as defined in the Act of 1854. As the section now read, it seemed to him that it was only this last group that could be considered in any way to have checked Parliament; and he was afraid the anxiety of the Attorney General to keep in "Common Law of Parliament" would have the effect of showing that there was no Common Law.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought there was some justice in the suggestion of the hon. and learned Member, and he would agree to strike out the words in question, and, if necessary, put in other words.

Amendment *agreed to.*

MR. MARUM moved, in page 2, line 2, after the word "Parliament," to insert the words—

"And for the purposes of this Act it shall be deemed to be 'undue influence' within its meaning for any Lord of Parliament, or Peer or Prelate, not being a Peer of Ireland at the time elected, and not having declined to serve for any county, city, or borough in Great Britain to concern himself in the election of Members to serve for the Commons in Parliament, except only any Peer of Ireland at such election in Great Britain respectively where such Peer shall appear as a candidate, or by himself or any others be proposed to be elected, or for any Lord Lieutenant or Governor of any county to avail himself of any authority derived from his commission to influence the election of any Members to serve for the Commons in Parliament."

The hon. and learned Gentleman said, his main object was to make the action indicated in the latter clause of this Amendment a statutable offence. At present the matter was only dealt with by Sessional Order; and the Sessional Order having declared that any such action would be an infringement of the Privileges of that House, he was not driven to the necessity of making out a case, though, if necessary, he could make out a very distinct case. A Lord Lieutenant was the political nomination of the existing Government, and it was not unnatural that he should dispense in the same way any political patronage he could exercise. The very fact of the Sessional Order established the necessity for this provision. What was the present law? That it would be a breach of the Privileges of this House for a Lord Lieutenant to interpose in an election; but the question was, whether this section brought that in under the title of the "law of Parliament?" He hoped the Attorney General would take the proposal upon its merits, and not allow it to be thrown out upon a mere technicality.

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, this was not a matter of technicality, but of substance. As far as he knew, there was no law on the subject. The House of Commons asserted its rights and privileges by Sessional Order; but it had never received any assent from the other House to assert those rights. He thought it would be better to be content with the Sessional Order, and so avoid any collision with the House of Lords. To treat Peers who might concern themselves in elections as they proposed to treat persons guilty of corrupt practices would be a serious innovation.

MR. JOSEPH COWEN said, the Sessional Order was inoperative and useless, and ought to be removed from the Orders of the House. The Order had never been put in force, although there had been notorious breaches of it. Last Session he attempted to bring forward the case of a Lord Lieutenant of a county, and a distinguished Indian official, who telegraphed home an order for a subscription to an election; but the House refused to concern itself with the matter.

MR. BIGGAR said, he did not think that now the Ballot Act was in operation it was not justifiable to object to Peers taking part in elections; but the case was very different with regard to the Lord Lieutenant of a county. A Lord Lieutenant held an essentially official position, and through that had very great power, especially in regard to appointing magistrates; and if he influenced an election he acted in a very corrupt manner. He suggested that the hon. and learned Member should confine his Amendment to Lord Lieutenants of counties.

MR. MARUM said, he had thought it his duty to bring this matter forward; but, looking at the feeling of the Committee, he did not wish to press the matter any further. He hoped, however, that the Attorney General would take into consideration that portion of the Amendment relating to Lord Lieutenants of counties.

Amendment, by leave, *withdrawn.*

MR. NEWDEGATE said, he had an Amendment to propose; but as it would be impossible to explain its object in the few minutes now remaining he would move that Progress be reported. When he did move the Amendment he should show that circumstances had arisen in this country which were, in a certain degree, analogous to circumstances which had long prevailed in the United States, and which had led to great confusion in the American electoral system.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Newdegate.*)

Motion *agreed to.*

Motion made, and Question proposed, "That this House will, upon Monday next, again resolve itself into the said Committee."

Mr. CHAPLIN rose to protest against the precedence given to this Bill over the Agricultural Holdings Bill. Unusual as it was for private Members to force the hand of the Government, the course pursued by the Government had been so unusual that they had strong grounds for protesting. There was a very long delay, in the first instance, in the introduction of the Agricultural Tenants' Compensation Bill; but it was introduced before the Whitsuntide Holidays, and read a second time on the 29th of May. The Committee was then fixed for the 11th of June. In consequence of the fixed intention to take the Committee with as little delay as possible, many Members declined to express their views upon the second reading. When his right hon. Friend the Member for East Gloucestershire (Sir Michael Hicks-Beach) proposed that the Bill should be committed *pro formâ*, for the purpose of incorporating several clauses of the old Agricultural Holdings Act, the Chancellor of the Duchy of Lancaster (Mr. Dodson) replied that so anxious was he to proceed with the Bill without any delay that he objected to the proposal on account of the loss of time that would be involved.

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day*.

MOTIONS.

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 7) BILL.

On Motion of Mr. John Holms, Bill for confirming certain Provisional Orders made by the Board of Trade, under "The Electric Lighting Act, 1882," relating to Barnes and Mortlake, Hackney, Islington, Saint Pancras, and Whitechapel, *ordered* to be brought in by Mr. John Holms and Mr. Chamberlain.

Bill *presented*, and read the first time. [Bill 229.]

NAVY COURTS MARTIAL.

Copy *presented*,—of Returns of the number of Courts Martial held upon Seamen of the Royal Navy during the year 1881, the offences for which the men were tried, the sentences awarded and the punishments inflicted at home and abroad, of the number of summary punishments inflicted; and similar Returns relating to the Royal Marines [by Command]; to lie upon the Table.

LONDON BANKRUPTCY COURT.

Address for "Return from the Messenger of the London Bankruptcy Court of the number of warrants he has received for the arrest of absconding debtors under the 33 and 34 Vic. c. 76, since the passing of that Act up to the present time, and the number of debtors arrested under such warrants."—(*Mr. Samuel Morley.*)

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDER OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POOR LAW (IRELAND)—WORKHOUSE SCHOOLS.—OBSERVATIONS.

Mr. MOORE, in rising to draw attention to the state of the workhouse schools in Ireland; and to move—

> "That, in the opinion of this House, the condition of the workhouse schools calls for the immediate attention of Government,"

said, that his only wonder, in bringing the matter before the attention of the House, was that the state of things he was about to describe should have lasted so long. They had in Ireland a system which had been abandoned in England, and exploded in Scotland; and he was glad to say that in the greater portion of the British Islands it was a thing of the past. He did not think if the Irish Government were represented in sufficient numerical strength in the House of Commons that that state of things could have existed. The right hon. Gentleman who presided so ably and courteously at the Irish Office was the most overworked official in Her Majesty's Service. He combined in his Office a variety of Departments, each of which required the concentrated energy of a Minister in itself. The result was that the working of the Poor Laws in Ireland was left entirely to a Board out of harmony with the sympathies of the people, and in its policy dogged and dictatorial.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 18*th June*, 1883.

MINUTES.]—Public Bills—*First Reading*—New Forest Highways* (101); Local Government Provisional Orders (No. 7)* (102); Local Government Provisional Orders (Highways)* (103); Tramways Provisional Orders (No. 4)* (104).

Second Reading—Pier and Harbour Provisional Order (No. 2)* (82); Criminal Law Amendment (69); Indian Marine (88).

Committee — Report — Local Government (Ireland) Provisional Order (No. 3)* (81).

Royal Assent—Consolidated Fund (No. 3) [46 *Vict.* c. 13]; Prevention of Crime (Ireland) Act (1882) Amendment (Audience of Solicitors) [46 *Vict.* c. 12]; Poor Law Conferences [46 *Vict.* c. 11]; Constabulary and Police (Ireland) [46 *Vict.* c. 14]; Lands Clauses (Umpire) [46 *Vict.* c. 15]; Broughty Ferry Paving [46 *Vict.* c. xix]; Local Government Board's Provisional Orders Confirmation [46 *Vict.* c. xviii]; Drainage and Improvement of Lands Supplemental (Ireland) [46 *Vict.* c. xxi]; Tramways Order (Dublin and Blessington) Confirmation [46 *Vict.* c. xxx]; Local Government Board (Ireland) Provisional Orders Confirmation (Rathmines, &c.) [46 *Vict.* c. xl]; Education Department Provisional Orders Confirmation (Cummersdale, &c.) [46 *Vict.* c. xlii].

PARLIAMENT—POLICY OF THE MINISTRY—MR. CHAMBERLAIN'S SPEECH AT BIRMINGHAM.

QUESTION. OBSERVATIONS.

The Marquess of SALISBURY: My Lords, seeing the noble Earl (Earl Granville) in his place, I wish to ask him a Question on a matter of some public interest—namely, Whether the intimations of policy that were given by Mr. Chamberlain, President of the Board of Trade, at Birmingham, last week, are to be looked upon as the views of Her Majesty's Government? The language to which I refer is reported as follows. The right hon. Gentleman begins by saying that the House of Commons is not so Radical as the country, and not so Radical as the Government; and then, after discussing questions of representation, he ends as follows:—

> "Now, shall we put the dots on the i's? What do we want? We want, in the first place, a suffrage from which no man who is not disqualified by crime or the receipt of relief, who is expected to fulfil the obligations of citizenship, should be excluded. We want equal electoral districts in order that every vote may have an equal value; and we want, I think, the payment of Members in order that any man who has the capacity to serve his country, who has honesty and intelligence, and who is selected for that purpose by his fellow-countrymen, shall not be excluded for want of means. That is what we want. What we shall get is a different matter. We may have once more to take a composition."

Then he goes on to say that a composition will not be looked upon as a discharge. Of course, it is obvious that the plain and natural meaning of that language is that that is the policy of Her Majesty's Government; it follows so necessarily from what is stated in the rest of the speech, and the announcement is made in so uncompromising a manner, that it would be evident to anyone reading it that Mr. Chamberlain was simply doubting how much this Radical Government would get out of this Conservative House of Commons. I have ventured, using Mr. Chamberlain's own words, myself to put the dots on the i's in order that I may get—as I have no doubt I shall get from the noble Earl—the avowal of a policy which might be stated in a more formal manner, and in a more suitable locality, and which I shall be glad to have explained by the noble Earl.

Earl GRANVILLE: My Lords, the noble Marquess has, with his usual courtesy, given me Notice of a Question as to whether the views of Her Majesty's Government are those expressed by Mr. Chamberlain on the subject of the lowering of the franchise, and on the question of the payment of Members. I think that the same Question is to be asked by Mr. Warton in "another place," where there will be the advantage of Mr. Chamberlain's presence. I was at Birmingham myself last week; but not at the same time as Mr. Chamberlain. But I had the pleasure of seeing my right hon. Friend as soon as I received the noble Marquess's note; and he informs me of what is obvious from the text of his speech, and from the words quoted by the noble Marquess—namely, that his statement was the expression of his own individual views, and of what he believed to be the views of his constituents. In no sense whatever was he stating those views as embodying what would be proposed as a legislative measure, by himself, or by Her Majesty's Government. I am not sure that I need give any further explanation on the subject; but, for the information of the noble Marquess, I will say that I myself, and the Members of the Government in this House, entirely agree with the Members of the Cabinet in the House of Commons, who have all voted in favour of getting rid of what to us is an unwise and unjust anomaly—the difference between the franchise in boroughs and counties. I believe I am right in thinking that all Members of the Cabinet agree with what is stated to be the opinion of many Members of the House of Commons, that any measure for the reduction of the franchise must be followed by a measure for the redistribution of seats. It may be a want of curiosity on my part, but I have never asked my noble and learned Friend on the Woolsack whether he is in favour of universal suffrage; I have never asked the President of the Council whether he is in favour of equal electoral districts, and I have never asked my three noble Friends behind me whether they think that Members of Parliament should be paid or should not be paid. I think this signifies less, because I expect, and indeed believe, that Her Majesty's Government, during the present Parliament, will be able to bring in a Bill or Bills on Parliamentary Reform, which will give, in the most authentic and effective manner, the views of the Government on the subject.

THE MARQUESS OF SALISBURY: My Lords, as far as I understand the noble Earl, Her Majesty's Government do not themselves believe in manhood suffrage, equal electoral districts, and payment of Members; but Mr. Chamberlain believes in them in a modified way. He believes in them in Birmingham; but he does not believe in them in Downing Street. There is some difficulty, however, in realizing the divided individuality which the noble Earl attributes to Mr. Chamberlain. We have, I believe, no precedent for it in our political history. Mr. Chamberlain, when joined with Her Majesty's Government, will repudiate manhood suffrage, will decline to vote for equal electoral districts, and will refuse payment to Members. But when he goes down to Birmingham he will vote for all these. I do not understand this plan of splitting Cabinet Ministers in two. The noble Earl gave us a specimen of that the other night. We blamed Lord Derby for announcing beforehand, on entering upon a negotiation, that he was in no case prepared to go to war. The noble Earl answered—"Oh, yes; but when you were in Office Lord Derby said the same thing on your behalf. Lord Derby stated in reference to Constantinople that in no case would England be allowed to go to war." So that in this particular case the noble Earl defended Lord Derby of the present against the attacks of his Colleagues in the past by saying that when Lord Derby was your Colleague he did the same thing. That appears to me precisely to be what has taken place in the case of Mr. Chamberlain. He talks of getting a composition. But what does he mean? He is a Member of the Government from whom the composition is to be obtained. So that Mr. Chamberlain, who is in favour of manhood suffrage, equal electoral districts, and payment of Members at Birmingham, will beat down the Government, and is kind enough to say that he will accept some composition from Mr. Chamberlain in Downing Street. But he will not admit that this is a discharge for the future. I do not think that Parliamentary annals contain precedents for this division of character. But I have seen a precedent in the case of a Predecessor of the noble and learned Earl on the Woolsack, whose acts and deeds are nightly represented in a theatre in this town, and who was disposed to commit himself for a contempt of Court, because he allowed himself to make love to a ward in Chancery without obtaining his own consent. That is very much the division of character to which Mr. Chamberlain has committed himself. But while I object on Constitutional grounds to this division of Ministerial responsibility, I cannot deny that, on prudential grounds, it has its admirable side. It is delightfully safe. It is what we call hedging. He is safe against either event. He is in the position of a man betting against his own horse. If it should happen in the future that manhood suffrage is carried it will be carried by the splendid exertions which Mr. Chamberlain, speaking as an agitator at Birmingham, has made. If it is not carried it will be repelled by the prudent Government of which Mr. Chamberlain, as President of the Board of Trade, forms a part. I should like to know whether, in the opinion of the noble Earl, this is consistent with the traditions and Constitutional usages which he has inherited? We used to imagine that on the most vital questions of the day the Ministry had one opinion; that, at all events, while they were in Office, they would support one set of opinions, and that any of them who wished to go further would not seek to gratify his desires, at any rate, until he was free from the responsibilities of Office. But now we have a wholly different doctrine. It appears that Ministers may not be agreed upon any one important matter which it is necessary that the Government of this country should consider. We had an instance of that lately in what I venture to consider is not a small matter, though it concerns a small space. We had the scandal as to the Contagious Diseases Acts, from which we are not free, and in which a Resolution against the Government in the House of Commons was carried by Members of the Government. We remember also how, at the beginning of the Session, Mr. Chamberlain announced that unless Ireland had an extension of local self-government she never would be at peace, and how Lord Hartington immediately retorted that it would be madness to extend local self-government in Ireland. And now we find, not only on the burning question of Ireland, but on questions of manhood suffrage, equal electoral districts, and the payment of Members, Her Majesty's Government are absolutely disagreed. There is no longer any pretence of a united Cabinet in the Government that rules us. Now, in the face of the Constitutional doctrine which the noble Earl and his Colleagues have adopted, I think it would be becoming in future not to speak of the Government doing this or doing that; but to say—"A fraction of the Government has resolved on this, and a fraction of the Government to which I do not belong entertains such and such an opinion in such a case." We should then have an accurate representation of the state of things which exists in the Councils of the Government.

Earl **GRANVILLE**: My Lords, as the noble Marquess put his Question first and made his speech afterwards, perhaps I may be allowed to add one word. The chief point of his speech was a comparison of Mr. Chamberlain's speech with his position in Her Majesty's Government and in the Cabinet. It appears to me that Mr. Chamberlain's position is very much like what the position of the noble Marquess was the other day when, speaking in his semi-official capacity as Leader of the Opposition, he spoke of the desirability of retaliatory tariffs. The noble Marquess and the right hon. Gentleman (Sir Stafford Northcote) in Birmingham stated that individual predilections should be free; but neither of them, as I understand, stated that he represented the views of those with whom he is associated, and both ended by saying that the thing itself was perfectly impossible.

ARMY—CORPORAL PUNISHMENT.

EXPLANATION.

Lord **ELLENBOROUGH** said, he had been misinterpreted in some remarks made by him the other night on the subject of flogging. He did not advocate that corporal punishment should at once be re-introduced into the Army with the old conditions, or even, at present, under the recent limited application of it; but distinctly guarded himself from any misunderstanding by saying that he submitted that this form of punishment should only be made use of when troops were on active service, or during a state of war or tumult.

INDIA (PALCONDA).

MOTION FOR A SELECT COMMITTEE.

Lord **STANLEY of ALDERLEY**, in rising to call the attention of the House to the case of the ex-Zemindar of Palconda, imprisoned in 1832 at the age of 11 years, and released by Lord Napier, the then Governor of Madras, from close confinement in 1869, and to the confiscated Zemindary having been farmed to a commercial firm instead of being administered by an official, and to move for a Select Committee to inquire into his case and the confiscation of his property at a time when he was a ward of the British Court of Wards, said: My Lords, I have been told that, on the first Sunday of this month, a preacher in the Pro-Cathedral of Kensington explained to his hearers that the reason Latin was used by the Roman Church was because, Latin being a dead language, the sense of the words was not subject to change; whereas, in the vulgar tongue, words in process of time altered their meaning; and he gave, as an instance, that the English nation, which originally prayed that justice might be administered impartially, now prayed that it might be administered indifferently by our Rulers. If this preacher had known of the case which I am going to lay before your Lordships, and of the habits of the Indian Administration, he might have added that here was a proof, if any proof were wanted, of the efficacy of prayer, since the English nation has obtained that indifferent administration of justice from their Rulers which they have so long prayed for. It is with mixed feelings that I bring this subject before your Lordships; for, on the one hand, it is a most grievous case of injustice and tyranny, and, on the other hand, none of the original wrong-doers survive, and I do not believe that my noble Friend the Secretary of State for India (the Earl of Kimberley) is fully aware of the extent of that wrong. Moreover, I am thankful to the Madras Government that, under the administration of the noble Duke behind me (the Duke of Buckingham), the victim of this injustice was allowed to bring his case before the High Court of Madras, since I have, at various times, endeavoured in this House to obtain assent to the principle that cases such as this should be decided by a judicial tribunal, and not by officials, who cannot be impartial in revising their own acts, or those of their friends in the Civil Service. I will now place before your Lordships a succinct statement of the case, taken from a letter from the India Office, dated 3rd of April last. By so doing I shall save the time of the House, and narrow the points of difference between the India Office and myself.

> "On the death of Viziaram's father, his brother succeeded to the Zemindary. This brother rebelled in 1832, was tried for rebellion and convicted, and under Madras Regulation VII., of 1808, was sentenced to death, and the estate was ordered to be confiscated, while his family, including Viziaram, then a boy, were ordered to be detained as State prisoners. The Collector of the District proposed that, as an act of grace, the estate should be, at some future time, restored to one of the brothers. But the then Governor, Sir Frederick Adam, refused this, acting on a rule laid down by Sir Thomas Monro, in 1823, that no estate once forfeited for rebellion should ever be restored."

With regard to this statement of the facts of the case, I would observe that Viziaram's brother did not succeed his father; but, being illegitimate, was wrongfully named successor to the Zemindary by the Collector, in spite of the protests of Viziaram's mother. Next, it was not proved that Viziaram's brother had rebelled, or taken part in the disorders of 1832; on the contrary, the Foujdary Adalet, then the highest Court of Madras, disbelieved it; he was a minor only 19 years of age when condemned to death by a court martial. Next, with regard to the rule laid down by Sir Thomas Monro in 1823. He had no power to lay down rules; it was only an opinion of his contained in one of his Minutes, and it is called an opinion, both in Sir Frederick Adam's Minute of June, 1835, and in the Judgment of the High Court of Madras of 1879. Now, who was Sir Frederick Adam, that so much importance should be given to his administrative act in confirmation of a court martial, and against the recommendation of the Collector, or, more correctly, of Mr. Russell, the Special Commissioner? He was a man who ought never to have been appointed to the Government of Madras; for, before he was sent there, he had lost his character and reputation in the Ionian Islands, through the injustice and violations of law which prevailed during his administration of those Islands. Sir Charles Napier's book, published in 1833, mentions various cases of his maladministration; one man was detained in prison 13 months before his case was investigated, and he was then released; another man, sentenced to eight months' imprisonment in irons, with hard labour, appealed in the legal manner; his appeal remained unnoticed for a year, when he got eight months' more, or a year more than his original sentence. Sir Charles Napier writes—

> "I have often heard the Greeks remark that Sir Frederick Adam has a sanguinary disposi-

> tion; the idea originated in his unfortunately thinking that to be rigorous is to be vigorous."

I would also observe that it was not the Collector who recommended the reinstatement of Viziaram Raz; the Collector was Mr. Gardiner, and the person who made this recommendation was Mr. Russell—a Special Commissioner and Agent of the Madras Government. Viziaram Raz was imprisoned in 1832, at the age of 11 years, when he could be guilty of no crime, and remained in close confinement, no one being allowed access to him, till 1869, or for 37 years, when the then Governor of Madras, Lord Napier, set him at liberty to go anywhere South of the River Kristnah. His imprisonment had so benumbed him that he could not immediately take advantage of his liberty; and it was not until the noble Duke behind me (the Duke of Buckingham) was Governor that he proceeded to Madras. In 1879, he succeeded in bringing his case, as a civil action, before the High Court of Madras. The High Court decided against his suit, not chiefly, as the Indian Office now says, but entirely on the ground of the Statute of Limitations. Now, the India Office has not given, nor has it attempted to give, any answer to the question, whether the British Government is morally justified in pleading limitation in answer to a civil suit, when it, the defendant, has, by physical and material impediments, prevented the plaintiff from obtaining access in time to a Court of Law. There are several proofs of Viziaram Raz having been prevented by Government from bringing his suit in time. The best is the following statement:—

> "15. In conclusion, I am to state that Viziaram Raz appears to have been allowed to see his relatives and friends, and to communicate through the officers of Government with those at a distance. But, in 1859, a letter from a Vakeel at Madras, urging him to employ the writer's services, with a view to his release and restoration to his inheritance being effected, was intercepted and forwarded to Government, who directed that the same course should be followed with any similar communications."

This statement is contained in a letter to the Secretary to the Government of India, dated July 18, 1878, and signed by Mr. C. G. Master, Secretary to the Government. Similar evidence by an eye-witness, in 1859, was given by one who wrote to *The Madras Athenæum*, on 21st June, 1876, signed "Mofussilite." I further ask the noble Earl the Secretary of State for India how the Indian Government can plead the Statute of Limitations, when that Government has removed officers from the Indian Army for that fault? Captain H. Chichele Plowden, of the Bengal Staff Corps, was sued in a Court in India. He pleaded limitation, and gained his case; but the Government of India said it was a dishonourable plea, and removed him (notwithstanding his great interest) from the Service. The India Office also, at present, alleges that this case was carefully gone into by the Indian Government on its merits; and that it decided, under the advice of their Advocate General, that the rebellious Zemindar was the rightful heir and legal possessor of the estate. This advice of the Advocate General, Mr. Paul, is directly opposed to the judgment of the High Court of Madras of 1879, and also to a judicial decree of Mr. Smollett, Agent to the Governor of Fort St. George (Pro. No. 41 of 1855), in which he decided against the claim to a Zemindary of an illegitimate elder son, and dismissed a reference to the action of the Collector in the Palconda case, as not an authoritative case, and said that—

> "On the contrary, it was doubtful if such a proceeding would have been upheld in Courts of Law."

The Supreme Government have also alleged, in a despatch to the Secretary of State, dated November 7, 1878, as an objection to restoring the Zemindary, that new rights have grown up—

> "And would, doubtless, be seriously affected if the estate should be restored."

This is a purely gratuitous supposition. The Zemindary is now vested in the Government, which has preserved all the rights of the owner, which have not been affected, and would not affect, rights of sub-tenants. I might here mention that, between March of 1876 and May of 1879, the English Press in India incessantly urged that justice should be done to this unfortunate victim of Sir Frederick Adam. I have here no less than 25 articles taken from the most influential Indian papers; but, as far as I know, none of these were reproduced in England. In the generality of cases of resumption or confiscation of Zemindaries or small States, a plea has been put forward that such a proceeding was for the benefit of the inhabitants. How does it happen, then, in this case that the Zemindary of Palconda, originally administered by a Collector, acting for the British Court of Wards, was subsequently, in 1846, farmed to the commercial firm of Messrs. Arbuthnot, and the rent raised from 110,000 rupees to 120,000 rupees in 1861, and to 130,000 rupees in 1871? I will now ask leave to read to your Lordships a letter from Lord Napier, dated Isle of Skye, May 12, written to me for that purpose, as, on account of his duties with the Royal Commission in the Highlands, he is unavoidably absent from the House. His letter is such that I might have dispensed with the statement I have already made, but that such a course might not have been respectful to the House, and would, perhaps, not have done justice to Viziaram Raz. I need not read the first part of the letter, in which, explaining the delay in sending it, Lord Napier confesses to reluctance to renew the perusal of these old injustices and miseries. He proceeds to write—

"...... Passing over the features in the case to which I have referred above, and in respect to which I cannot form a definite judgment, I feel myself at liberty to make the following statement of opinion to you:—

'1. Viziaramarazu was long subjected to unnecessary restraint in the Fort of Vellore. He might have been liberated, with perfect safety to Government, at a much earlier period, with permission to reside in any part of the country not contiguous to the old estate of his family.

'2. No proper provision was made for his education and training; his natural faculties were probably not strong; but little or nothing was done to improve them; and it may, perhaps, be in some degree owing to the neglect of Government that he has fallen into that state of debility or imbecility which is spoken of in the Memorial. I am bound to say, however, that when I saw him he was not imbecile or idiotic, but simply a weak, careless gentleman, incapable of governing his own actions wisely.

'3. The allowance made by Government to Viziaramarazu, before 1869, was a penurious one, and not commensurate to his rank and position.

'4. The imprisonment of Viziaramarazu at Vellore, and the mean condition in which he was kept, debarred him practically from marriage with a lady of his own caste and country, until he was more than 40 years of age, which, in a social and religious point of view, was a more grievous disability and hardship in India than it would be in Europe.

'5. The provision now made for Viziaramarazu is still incommensurate to his wants, as the representative of an ancient and honourable family; deprived of its possessions, practically, as a measure of policy by the Government.'

"I consider that the Government would do well to increase the pension of the present holder, to allot a special sum for the maintenance and education of his adopted son, and to appoint some English functionary to superintend his training, apart from his family. It would also be worthy of Government, if the boy promises well, to make some provision for him, beyond that of a mere pensioner, by the creation of a Zemindary for him in the Northern Districts, either near the old estate, or from a portion of it. There is no condition of life more melancholy and hopeless than that of a hereditary State pensioner in India, without honour, duty, power, or any other element of a useful life.

"On a review of these Papers, I must confess that I reproach myself with not having gone more deeply into the case when it lay in my power to do so; and you have my sympathy and best wishes in your endeavours to procure a more liberal treatment for this unfortunate family by your intervention, either in the House of Lords, or at the India Office.

"Believe me,
"Very truly yours,
"NAPIER AND ETTRICK."

"P.S.—You are at liberty to make use of my opinion in any way which you may think right."

It remains to be observed that the cost of the fullest restitution would have been under £5,000 a-year; or, in other words, that the benefit derived by the Government Revenue from this act of confiscation has been less than £5,000 a-year. But Viziaramarazu has not asked for so much at the hands of the Government. In his Memorial of June 4, 1879, he wrote—

"If the Government are unwilling to see justice done to me on financial grounds, I would be happy to accept my estates at such Peiskesh as the Government may deem reasonable; or, if the Government consider that my long imprisonment incapacitated me from managing my estates, trustees might be appointed on their behalf, or a guarantee from me for good conduct and management be taken."

The only plea that is likely to be urged against doing justice to Viziaram Raz is, that the injury done to him happened a long time ago, and that the Secretary of State is not responsible for it. But the injury done to him has been continuous; for 37 years he was shut out from the world, and could not make his voice heard; since then, he has done his best to claim redress; and there has been no solution of continuity in doing him injury; for, last year, when he sent a Memorial to the Marquess of Hartington to the actual Governor of Madras for transmission, an evasive and misleading answer was written to him, and it was not till seven months later that he was informed that his Memorial could not be transmitted; the Private Secretary's letter, dated July 12, 1882, informed him, by order of the Governor, that his Memorial "had been transferred to the Chief Secretary to the Government for disposal." This letter took me in also, for how could I suppose that "disposal" meant putting it into the waste paper basket? This Memorial ought not to have been kept back, but should have been transmitted to the Marquess of Hartington, for it contained the hearing before the High Court of Madras, which was all new matter. It was unnecessary cruelty to keep Viziaram Raz for seven months in suspense, and to waste all that time, when he, at the age at which he had arrived, had but such a short time before him. The Secretary of State, now that this injustice has been laid before him, will, if he does not redress it, be as responsible for it as those who originally did the wrong.

Moved, "That a Select Committee be appointed to inquire into the case of the ex-Zemindar of Palconda and the confiscation of his property at a time when he was a ward of the British Court of Wards."—(*The Lord Stanley of Alderley.*)

THE DUKE OF BUCKINGHAM said, that he had been referred to by the noble Lord as having been Governor of Madras during a portion of the time when the circumstances of the case arose. The statements with regard to the fact of the imprisonment were, unfortunately, too true. There was no doubt that the Zemindar was imprisoned as a boy until he was partially released in 1869 by Lord Napier. It was not necessary that he should refer to the facts that led to the imprisonment of the Zemindar, or the manner in which he was detained; but he had appealed to the Government of the Presidency of Madras, and subsequently to the Courts of Law, and now his case was brought before that House. It was his misfortune that he had been unsuccessful in every step he had taken—whether rightly or wrongly was a question which he did not suggest that their Lordships should discuss. As far as he could ascertain, what was done originally was done as an act of State—so he and his Predecessor understood and believed. He said that in the hearing of the case the matter had been argued in a different form, the assertion that the imprisonment was an act of State having been abandoned by the counsel for the Government. One, perhaps unavoidable, misfortune to which the Zemindar had been exposed was that the counsel who advised him to take proceedings was soon afterwards appointed Advocate General to the Government; and this learned gentleman argued the case before the Judges in opposition to the advice he himself had given. It was to be regretted that it was not found possible to obtain some other counsel to represent the Crown, rather than that it should be suggested, in a case in which a Native was so largely interested, that his cause had been prejudiced by the Government depriving him of his counsel. Those who had investigated the case felt that a more liberal allowance might be accorded to this poor man, so as to put him in a position of some comfort for the few remaining years of his life. The case, which was filed in 1870, was not disposed of by the High Court before he left Madras. He understood that a decision had since been given by the three Judges of the High Court; and their decision was final, as the time for an appeal in the ordinary course had passed by. The possibility of further litigation being thus at an end, he thought it would be a graceful act on the part of the Indian Government, at the suggestion of the Secretary of State, to make a much more liberal allowance to this poor man. As no other person existed in India who had been imprisoned for a long period under similar circumstances, there could be no fear of establishing a dangerous precedent, even if a much larger sum were awarded to him.

THE EARL OF KIMBERLEY said, that this matter had been the subject of a decision in a Court of Law, and the judgment had been recorded at great length in the proceedings of the High Court of Madras, and the facts were all given there in the most authentic form. The case arose out of the confiscation of the Zemindary of Palconda in 1832. The circumstances were rather peculiar, because the previous Zemindar of Palconda, before the confiscation took place, was stated in the judgment to have left behind him, when he died, eight ladies who were styled his widows, although with some of them he had not gone through the ceremony of marriage. These eight ladies had a quarrel as to who was the proper heir to the Zemindary. The eldest son was illegitimate, and the second son, to whom the noble Lord referred, was legitimate. There were, however, some Zemindaries in India to which illegitimate sons had a right to succeed. The Government appeared to have satisfied themselves that the widows had made up their quarrel, and had agreed that the illegitimate eldest son should succeed to the Zemindary. He succeeded accordingly; but disturbances arose, and eventually the Government confiscated the whole Zemindary; and the family, who were stated to have taken part in the disturbances against the Government, were imprisoned. This occurred as long ago as the year 1832. The present Memorialist, who was the second son, alleged that he ought not to have been ousted from what he conceived to be his rights. He was imprisoned, when a boy 11 years old, with the rest of his family. Finally, he brought an action in the High Court of Madras. That Court expressed a doubt as to whether the Zemindary was one to which an illegitimate son might succeed; but that point was not before the Judges, and they did not give a judgment upon it. They did decide, however, that the Government was not a trustee in the sense alleged by the Petitioner, and that the lapse of time had entirely ousted the Petitioner from any right to obtain a restitution of the Zemindary which he claimed. Moreover, the Court distinctly expressed an opinion that the plaintiff had not been debarred by his detention in prison from bringing his case before them. It was a very difficult thing for the Government to deal with a question of that kind, which was upwards of 50 years old, and the evidence with regard to which was now, from the lapse of time, of an extremely uncertain character. The Government of Madras, in 1832, on account of the very serious disturbances, was obliged to employ troops to a large extent. Sir Thomas Monro had been referred to. What he had laid down was this—that when there were rebellions in these Zemindaries the Government could not, when confiscating the Zemindary in the person of the Zemindar, restore it to another member of the family. There were obvious reasons why, if one of a family rebelled, it would be a very serious matter to restore the Zemindary to another member of the same family. The only other question was that which the noble Duke had brought forward—namely, the amount of the allowance made to the ex-Zemindar. The amount had been increased by the late Viceroy, Lord Lytton, to 250 rupees a-month. He (the Earl of Kimberley) could not then say whether the amount ought to be increased, as the question had not been brought before him, and it was a matter which would require consideration. He could not accede to the noble Lord's Motion.

Viscount CRANBROOK said, that the ex-Zemindar had been a prisoner for 37 years, from 1832 to 1869, and had since 1869 been a State prisoner, although he had not himself committed any offence against the Government, but merely for belonging to his own family. He trusted, therefore, that the Government of India would deal with this unfortunate man in a more liberal spirit than they had hitherto shown to him.

Lord STANLEY of ALDERLEY said, that the noble Earl the Secretary of State for India had said nothing in his reply as to the unmerited injustice and cruelty of the life-long imprisonment of Viziaram Raz. This injustice and its continuance could not be explained, except that as India was the country of metempsychosis, it must be supposed that the souls of those who induced Clive to tarnish the laurels of Plassy by his deception of Omichund the banker, by a false copy of a Treaty, and who induced Admiral Watson to allow his name to be forged, though he would not sign it himself, had transmigrated into some of the present Rulers of India.

On Question? *Resolved* in the *negative.*

CRIMINAL LAW AMENDMENT BILL.

(*The Earl of Dalhousie.*)

(NO. 69.) SECOND READING.

Order of the Day for the Second Reading read.

The Earl of DALHOUSIE, in moving that the Bill be now read a second time, said, the Bill was founded upon the recommendations of the Select Committee of their Lordships' House.

It had come to the knowledge of the Government that English girls had been decoyed abroad, and that they had been immured in brothels, from which they were unable to make their escape. Some passed many years in confinement of the vilest and most abominable kind. The Committee found that many of these girls had been decoyed abroad, especially to Belgium, whither they had been conveyed by agents, who were paid so much a head for each girl by the keeper of the brothel to whom she was made over. The Belgian law protected girls up to the age of 21 from being immorally employed; but that protection was not available for English girls. The age to which English law protected young girls stopped at 13. The Committee also found that juvenile prostitution was increasing at an appalling rate in London, and that probably it existed to a greater extent in this country than in any country in Europe. Now, the Bill before the House closely adopted the recommendations of the Select Committee, with two exceptions. It was not a Bill for the suppression of vice, though it was hoped that it would incidentally bring about some diminution in vice. It was chiefly directed against the employment as prostitutes of very young children. It provided that any person who procured, or endeavoured to procure, a woman to become a common prostitute was to be guilty of a misdemeanour; and the age up to which women were in future to be protected was raised from 13 to 16, and up to that age no consent of the woman was to avail. The Bill also contained clauses against brothels, and gave the police power to take the initiative for their suppression, and also power to search houses which there was any reasonable ground of suspecting to be brothels; and made it an offence punishable by a fine of £20 to keep a brothel. A landlord also was empowered to terminate a tenancy summarily if he found that his house was being used as a brothel. There was also a clause against loitering and solicitation by women in the streets. The Committee had recommended that it should be made a criminal offence to abduct a woman under the age of 21; but Her Majesty's Government had not thought it desirable, for obvious reasons, to insert a clause in this Bill to carry out that recommendation. If that recommendation were adopted, and a man took a girl away from her home and married her, he would be liable for an offence under this Act. Moreover, when they considered what frequently happened, and was, indeed, almost a custom among the labouring population in many of the agricultural districts, it was clear that this recommendation would, in practice, be found unworkable. Many persons would, no doubt, think that this Bill did not go far enough, while others would think that it went too far. The extent to which the measure should go had received the most anxious consideration on the part of Her Majesty's Government, and they had been most careful not to go beyond public opinion in the matter, because they felt that if they did so the Bill would become a dead letter. Public opinion, however, was advancing very rapidly with regard to this subject; and, before long, it would be possible to go a good deal further in legislation than this measure proposed to go. At present it was a question of degree. By Clause 6 of the Bill it was proposed to raise the age of valid consent from 12 to 16 years. The Select Committee had not been unanimous on this point. Some of its Members had been in favour of raising the age as high as 17. On the whole, the measure was a considerable advance upon the present law; and, though it might very possibly be susceptible of improvement, still it was a measure which he thought fairly and honestly met the necessities of the case. It might, of course, be urged that the Bill would open the door to extortion, to false accusation, and to many incidental evils. But the House must remember that all legislation of this kind was necessarily liable to abuse. The present state of things in the Metropolis was so awful and so disgraceful that it was absolutely necessary to deal with it. That was the justification of this measure; and he hoped that their Lordships would read the Bill a second time.

Moved, "That the Bill be now read 2^a."—(*The Earl of Dalhousie.*)

THE EARL OF MILLTOWN, in moving that the Bill be read a second time that day six months, said, the measure was essentially a bad one, and, if carried, would be used for purposes of extortion. There had been gross carelessness in its drafting, and its operation would expose the public generally to great danger. Rather than attempt to amend the Bill in Committee, he thought the better course would be to reject it altogether, and allow the Government to bring in an adequate and efficient measure. He might call the attention of their Lordships to the fact that the Bill was not to apply to Scotland, although the most enthusiastic Scotchman would not deny that immorality was as rampant North of the Tweed as it was South. In fact, the rate of illegitimacy was notoriously high for Scotland; and the only explanation he could give of the provision that the Bill should not relate to that country was that the noble Earl (the Earl of Rosebery), who had charge of the Bill originally, and who had been appointed for a time to look after Scotch affairs, in order to soothe the susceptibilities of Scotch Members, had known that it was a bad measure, and had, therefore, come to the conclusion that, though it might pass for England, it would not do for his own country. In his (the Earl of Milltown's) opinion, the Bill would be utterly unworkable. Clauses 3 and 4 were too drastic in their provisions. Clause 5 he regarded as unnecessary, because it was already part of the law. Clauses 6 and 7 he also generally condemned; while the 8th clause he approved of as a very proper proposition. It seemed to him as if the noble Earl (the Earl of Dalhousie), flushed with his victory on the Deceased Wife's Sister Bill, had, in dealing with this subject, rushed in where the wisest of men had ever feared to tread. As to the scandalous state of the London streets, he agreed that anything that could be done to mitigate it ought to meet with support; but why should not solicitation be made an offence in the case of men as well as in the case of women? While there were many provisions in the Bill to which he objected, there were, on the other hand, some matters which might have been introduced into it with great advantage. For example, it would be well to exact that damages could be recovered for seduction without its being necessary to prove loss of services. Some of the clauses of the Bill were too far-reaching and severe, and others were too mild. The course which the framers of the measure proposed should be followed after the detention of a girl was much too vague and undefined. It was suggested that they should be sent to homes; but no machinery was provided for the establishment of such institutions. For the reasons which he had given, he begged to move the Amendment of which he had given Notice.

Amendment *moved*, to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Earl of Milltown.*)

THE ARCHBISHOP OF YORK said, that the noble Earl who moved the rejection of the Bill had underrated the weight of public opinion in the country on this subject. The Society for the promotion of this Bill had received 100,000 signatures without any canvassing whatsoever. There was a strong public opinion on the question; to that opinion the Bill was an answer, and a wise answer, on the part of the Government, and ought not to be met by a Motion that it be read a second time that day six months. It struck him that with regard to certain details, as, for instance, with respect to young persons under 16, the Bill did not go far enough; but that was a matter for Committee. And if the House wished that the Bill should apply to Scotland, it was only necessary to insert words to that effect. He denied that the vice in question was a constant quantity, and that if stopped in one direction it would break out in another. He knew a great deal about the lives of University men, and he ventured to say that a great many passed through the ordeal of University life and were entirely guiltless in this matter. He made that statement after full inquiry. The amount of the evil depended very much on the amount of the temptation. If they allowed the streets of London to continue in their present disgraceful state, there would be a great amount of temptation, and a number of persons good and bad would fall under it. The condition of the streets of this Metropolis was a by-word in the civilized world. There was no other capital in Europe where it was permitted that young men and old men, too, should be solicited as they were here by people whose calling was visible on their faces. That was felt on both sides of the House and out-of-doors, and the wonder was that it had not been stopped. In this Bill there was a clause that would go far to stop it. He would suggest that the task of the police in clearing the streets should not be made more difficult by requiring that they should discover the woman in the act of soliciting. It was said that it would be impossible to send young children taken from the streets to industrial homes, because there were not homes enough of that class, and that the Government did not at present desire to take the duty of providing them on their hands. He begged to say that there were many Societies forming with that object, and there would be no difficulty in the matter. With regard to juvenile prostitution, he believed that the Bill would entirely stop one of the most monstrous evils that existed among us. We had this excuse for not dealing with it before, that it was only within the last few years that the evil had reached its present monstrous height. It was not the case that the Bill would allow disorderly houses to escape altogether. The Act of George II. enabled a good deal to be done already. He remembered how, in the parish of Marylebone, took or three gentlemen took up the task of dealing with a street full of disorderly houses, and before a year had passed there was not a single bad house in the street. This Bill would greatly strengthen the hands of those who wished to act in that way. He would ask their Lordships to consider for a moment that in our great towns a very melancholy state of things existed. There were whole districts in which women lived by daily labour, making matches and match-cases and sewing shirts for a few pence a-dozen, and many of them retained their chastity. At present they saw passing their doors in gaudy dress their sisters and friends who had adopted a different trade, and other women still more depraved. He would ask, would not their Lordships, who were full of generous impulses, do something to protect these poor people? Speaking not only as a minister of religion, but also as one interested in social science, he was sure that the Government had never undertaken any better work than this; and he begged the House not to commit the solecism of dividing against a Bill the principle of which was apparently accepted by everyone.

THE LORD CHANCELLOR said, that he could have quite understood the opposition of the noble Earl (the Earl of Milltown) if he had objected to the principle of the Bill; but the noble Earl, so far from taking that view of the matter, held that the evils which the Bill was intended to suppress or to mitigate were so serious as to call for even more drastic legislation than was now proposed. Never before had he known the second reading of a Bill to be opposed in such circumstances, and he greatly regretted that the example of such a Motion should have been set by the noble Earl. As it seemed to him, some of the noble Earl's criticisms were trivial, and others were based on a misconception of the Bill. The noble Earl objected to the 1st clause because it did not contain a limit of age, and to the next clause for a precisely opposite reason. The 1st clause was intended to sustain and fortify a very wholesome decision of the late Mr. Russell Gurney, and the next was no more than an extension of the existing law. Without going through all the noble Earl's comments on the Bill, he might say that it was very doubtful whether many of them were just. The noble Earl had failed to see in what way the Bill would effect the suppression of brothels. As the most rev. Prelate had said, the present law did something in that direction; but its machinery was inconvenient, and it laid upon the householders a duty that was sometimes very vexatious, but could not be performed by the police. The main change that the Bill would introduce in this particular was that the police would now, for the first time, be enabled to deal with that class of offences against public morals and decency. He was bound to say that the noble Earl's criticisms did not appear to him to present many serious difficulties; but, even if they had been much more powerful, they might have been considered in Committee, and could not have formed an argument against the second reading of the Bill.

THE BISHOP OF PETERBOROUGH said, that the Bill was not designed to accomplish what he feared was the impossible task of suppressing prostitution, but to afford protection to young girls who were constantly inveigled into dens of infamy, and to give larger powers of protection to householders and the police. There was the Act of George II. which was directed against brothels, gaming-houses, and other disorderly houses, and was very well as far as it went; but it needed amendment, and would probably be made much more efficient by this Bill. Bad as disorderly houses were in all circumstances, they became additionally infamous when they were kept by women who added to their other trade the business of the procuress. In the City of Peterborough, he grieved to say, there was one of these vile women who got her bread out of the sin and shame of the innocent young girls whom she seduced into these homes. A poor artizan in the town of Peterborough went to one of the clergymen to complain that his young daughter had been inveigled by this woman into her house. It was found that the father had no legal right to enter the house. But if the woman had stolen his spoons, the house might have been entered for them; but because she had taken what was dearer to him, the child of his heart, the peace of his home, and the honour of his family, he must not be allowed by the English law to enter this house. It was because of such a case as that, which wrung the hearts of those who knew of it, that he gave his attention to the law on this subject, and listened with the greatest amazement to a proposition from any Member of that House for the rejection of the Bill altogether. To amend it in Committee would be another matter. There was a growing public opinion on these questions that would largely amaze the noble Earl. There was no question that this, at all events, was a poor man's Bill—a Bill to protect him from being robbed by cunning and fraud of that which was dearest to him, to satisfy the lusts of the vicious among the rich. He heartily thanked Her Majesty's Government for having introduced this measure, as it deserved the hearty support of all those who cared for the peace of families and the purity of our national life. It was not a time for anyone, when child harlots were walking in our streets, to stand up in that House and to move the rejection of such a Bill.

THE MARQUESS OF SALISBURY: My Lords, in spite of the speeches of my right rev. Friend and of the noble and learned Lord on the Woolsack, I am not sure that the Bill has passed entirely scatheless through the criticisms of my noble Friend behind me. His examination of the Bill was a careful and exhaustive one, and he pointed out many defects in it which at a future stage it will be necessary for us to consider. It would be a great mistake to pass by such criticisms. The subject is one as to which all must feel the gravest responsibility. It is a most difficult subject to deal with by legislation. The ordinary duty of the law is to restrain crime; but we are dealing with questions of a different kind — we are crossing the boundary which separates crime from vice, and are trying in some way or other to deal with vice. The attempt is not new to our law, but it has always been made carefully and tentatively, and with a deep sense of the dangers surrounding it. There is the danger of re-action, and there is the danger lest, in the attempt to fetter the vicious and the guilty, you cause dishonour and damage to the innocent. There is also the danger that even when you punish those who are vicious, you may punish them beyond measure by exposing them to a terrible system of extortion. I do not admit, therefore, that the matter is quite so plain and simple as my right rev. Friend who has just sat down seemed to imagine, or that it can be disposed of by the mere consideration of the terrible evils with which we have to deal. When right rev. Prelates talk of public opinion they should remember what is the precise public opinion with which practically we have to deal. The public opinion represented by eager petitioners is not the kind of public opinion which must execute the Act you are now asked to pass. You must pass an Act which the public opinion represented by 12 average jurymen put into a box is prepared to enforce. If your measure is so severe that such public opinion will not enforce it you will do more harm than good. I should have preferred to have this Bill considered by a Select Committee, because it is almost impossible in public to go into the details which are necessary for a complete consideration of the Bill. Of course, that is entirely a matter for the Government to decide. The circumstance that the Bill in a great part embodies the recommendations of a Committee of this House is, I think, a reason against rejecting it. There are, no doubt, very great and terrible evils to be dealt with, and the attempt to prevent this fearful injury to young girls is one with which we must all deeply sympathize.

Earl GRANVILLE: My Lords, I am very glad that the noble Marquess deprecates the idea of rejecting the Bill on the second reading. The noble Marquess desires, however, to refer it to a Select Committee; and I think the nature of the Bill will make it a fit subject to be examined by such a Committee. But it should be remembered that this was not a measure framed in a Department of the Government, without any outward assistance being given; it was prepared by a skilful draftsman, of whom the noble and learned Lord on the Woolsack speaks highly, and it is based on the recommendations of a Select Committee of this House.

The Marquess of SALISBURY: Not entirely.

Earl GRANVILLE: At any rate, with the omission of only two recommendations. The object of the Government is to get the Bill passed if possible; but I reserve to the Government the right to decide whether it is desirable to consider the matter in a Committee of the House, or in a Select Committee.

The Earl of MILLTOWN said, that, after the observations of the noble Marquess (the Marquess of Salisbury), he would not divide the House on his Amendment.

Amendment (by leave of the House) *withdrawn;* original Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

INDIAN MARINE BILL.—(No. 88.)

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of KIMBERLEY, in moving that the Bill be now read a second time, said, the Bombay Marine were converted into an Indian Navy in 1829. In 1862 that Navy was abolished, and the Act which had been passed for the discipline and regulation of the Force was abolished. There had long existed a Bengal Marine, which served in certain of our wars in the neighbourhood of India; but there was no special law under which that Marine was regulated. Since the abolition of the Indian Navy, the Indian Marine Force had continued to exist; but the ships of which it was composed did not come either under the Merchant Shipping Act or under the Mutiny Act. The Bill gave the Governor General for the first time power to legislate with respect to vessels between the limits of the Straits of Magellan on the one side and the Cape of Good Hope on the other. The limits might appear to be rather wide; but it was thought advisable to err on that side rather than on the other in a question of jurisdiction over the sea. If vessels were used for purposes of war, of course they would come within the jurisdiction of the Admiralty, and not under that Act. The Bill was not one for extending the Marine Force, or creating a new Indian Marine. It was simply a disciplinary measure. The noble Earl concluded by moving the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley.*)

Lord STANLEY of ALDERLEY said, that the ground of his objection to the Bill was the excessive limits of the proposed jurisdiction, which had made the Bill to seem as if intended to revive the Indian Navy; this his noble Friend had now stated was not intended. But the waters described in the Bill as Indian waters would include, besides the whole of the Indian Ocean, the North and South Pacific, and they might as well add the Atlantic, which was comparatively a small piece of water. The reason this was not done was because the Admiralty feared a conflict of jurisdiction; but this objection might arise equally in the Pacific Ocean. He begged leave, however, to withdraw his Motion for the rejection of the Bill.

In answer to Viscount Sidmouth,

The Earl of NORTHBROOK said, that no arrangement was made in the Bill as to the status of the officers of the ships which would come under the Bill in case war should arise.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at a quarter past Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 18*th June*, 1883.

MINUTES.] — New Member Sworn — The hon. Montague Curzon, *for* Leicester County (Northern Division).

Private Bill (*by Order*) — *Third Reading*—Belfast Harbour *, and *passed.*

Public Bills—*Ordered*—*First Reading*—Electric Lighting Provisional Orders (No. 8) * [230]; Turnpike Acts Continuance * [231]; Municipal Offices Disqualification (Ireland) * [232]; High Court of Justice (Continuous Sittings) * [233].

First Reading—Commons and Inclosure Acts Amendment (No. 2) * [234]; Cathedral Statutes * [235]; Elementary Education Provisional Order Confirmation (London) * [236].

Committee — Parliamentary Elections (Corrupt and Illegal Practices [7] [*Fifth Night*]—r.p.; Statute of Frauds Amendment [204]—r.p.

Third Reading—Tramways Provisional Orders * [167]; Tramways Provisional Orders (No. 3) * [169], and *passed.*

QUESTIONS.

EGYPT — INTERNATIONAL SANITARY BOARD—QUARANTINE.

Mr. PUGH asked the Under Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been directed to the action of the International Sanitary Board in Egypt, and in particular to the recent reimposition of quarantine, owing to an alleged outbreak of cholera in India; and, whether Her Majesty's Government have taken or will take any steps to prevent the constantly recurring inconvenience and loss caused to Her Majesty's subjects by such action?

Lord EDMOND FITZMAURICE: Yes, Sir; the attention of Her Majesty's Government has been directed to the action of the International Sanitary Board and to the recent re-imposition of quarantine owing to an alleged outbreak of cholera in India. Her Majesty's Government fully recognize the inconvenience and loss occasioned thereby, and they are taking steps which it is hoped may suffice to remedy these evils.

THE SCOTTISH LEGAL FRIENDLY SOCIETY—DISHONESTY OF OFFICIALS.

Dr. CAMERON asked the Lord Advocate, Whether, in view of the fact that fictitious books were with impunity used as passports to the special meeting of the Scottish Legal Society recently held in Edinburgh, and the allegations that they are again being issued for fraudulent use at the special meeing ordered by the Registrar to be held in Glasgow, he will take steps to secure the prosecution of any person detected in the attempt to repeat this fraud at the forthcoming meeting?

The LORD ADVOCATE (Mr. J. B. Balfour): My hon. Friend may rest assured that I shall use all the powers which the law provides for the punishment of any fraudulent proceedings which can be proved with regard to this Society. At the same time I must point out that it is the duty of the Society itself to take proper precautions against the admission of persons who are not members. Such precautions were taken by order of the Registrar at the special meeting in Edinburgh on the 17th of February last, and I understand that they were quite effectual. There has not yet been sufficient evidence obtained to establish a crime against anyone.

ARMY—MILITARY RIOTS AT PORTSMOUTH.

Lord EUSTACE CECIL asked the Secretary of State for War, Whether it is true that in consequence of the large number of time-expired men brought up for rioting and drunkenness before the magistrates at Portsmouth, and who are at present waiting to be sent home, the Commanding Officers of the Forts at which they are stationed have given notice that they will no longer advance money to pay fines, the result of which will be that the men will now invariably be sent to prison; and, if so, whether he will find some remedy for a state of things which, if allowed to go on, may have a serious effect in deterring men from re-enlisting, or joining the Reserve?

The Marquess of HARTINGTON: Sir, in consequence of the number of Reserve men arriving for discharge simultaneously with the Indian reliefs, the Discharge Depôt at Portsmouth was unable to contain all the men, and many had to be quartered in other barracks. There has been, I am sorry to say, a good deal of drunkenness. I am informed that no notice has been given by officers commanding forts that they will no longer advance the money for paying fines. The contingency referred to in the latter part of the noble Lord's Question need not, therefore, be apprehended as an immediate result; but I am considering whether, before the next trooping season, some arrangement can be made for discharging the men more expeditiously.

SPAIN—THE "TRIO."

Mr. O'KELLY (for Mr. Healy) asked the Under Secretary of State for Foreign Affairs, Whether he has seen the statement that on a Sunday in last month the ship "Trio," commanded and owned by Captain J. W. Kelly, of Wexford, was boarded at Corunna by the British Consul and his son, who came alongside in a Spanish man of war's board full of armed men, and demanded, as the "Trio" had her spars decorated with flags of all nations (including Ireland), that the "Fenian flag" should be removed, and "all the rest;" whether, since the flags in question have been flown by the "Trio" on gala days in many quarters of the world, and that the alleged "Fenian flag" was floated in Wexford Port without complaint about two months ago, and is simply a green flag with a harp and cross upon it, the Government approve the Consul's action; if so, upon what authority it was based; whether, notwithstanding Captain Kelly's explanations and protests, he was obliged to remove all the bunting; and, upon what portion of the estimates the salary of the Consul at Corunna becomes a charge, and whether the amount has yet been voted?

Lord EDMOND FITZMAURICE: Sir, the newspaper report referred to by the hon. Member is not accurate. A full Report on the subject has been received from Her Majesty's Consul at Corunna, which, together with any other Correspondence, will be laid before Parliament. It appears that the captain of the *Trio* had failed to comply with the regulations of the port in not hoisting at the main-masthead the British Flag. The salary of the Consul is borne on the Consular Estimates, which have not yet been voted.

PUBLIC HEALTH (METROPOLIS)—SANITARY CONDITION OF WHITECHAPEL.

Mr. BRYCE asked the Secretary of State for the Home Department, Whether his attention has been called to the two last Reports presented to the Whitechapel District Board of Works by the Medical Office of Health on the sanitary condition of the Whitechapel district, in which he condemns, as unsanitary and ill-arranged, several new buildings recently erected in that district, and expresses the opinion that amendments in the existing Building Acts are urgently required; and, whether, if sufficient powers to prevent the erection or order the closing of unsanitary dwellings are not now possessed by local authorities, he will undertake to bring in a Bill to amend the Building Acts in this important particular, by investing the proper local authorities with such powers?

Sir WILLIAM HARCOURT: Sir, I should be very glad to introduce a Bill on this subject, as well as many other subjects, if my hon. Friend would undertake to find time to pass them.

LUNATIC ASYLUMS (IRELAND).

Mr. MOORE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there is any truth in the rumour that it is intended to transfer the control of lunatic asylums in Ireland to the Local Government Board; if he could explain the reason of this change; and, whether legislation is required for this purpose?

Mr. TREVELYAN: Sir, it is the intention of the Government to make the transfer referred to, should Parliament consent, and a Bill for the purpose has already been introduced into "another place"—Lunatic Poor (Ireland) Bill. I shall be glad to explain fully the reasons for which the change is considered desirable when the Bill reaches this House. But I am bound to say that, in the present state of Business, and having regard to the other Irish measures before the House, it is extremely doubtful whether the Bill can be carried to maturity.

Mr. W. J. CORBET: I beg to ask the right hon. Gentleman, If the public asylums of Ireland are not in a high state of efficiency; if they have been brought to that state under the direction of the present Inspectors; and, if it is not a fact that the present Department is worked at half the expense proportionately of the English and Scotch Departments; and, if so, what can be the public necessity under the circumstances for the great change that has been decided upon?

MR. TREVELYAN: This Question is like a second reading speech against the Bill, and I should be glad to answer it at the proper time. If the hon. Member will put these Questions on the Paper, I will answer all those that are not argumentative.

LAW AND JUSTICE (ENGLAND AND WALES)—THE SUMMER CIRCUITS.

MR. ARTHUR ELLIOT asked the Secretary of State for the Home Department, with reference to the approaching Summer Circuits, Whether it is intended so to commission Her Majesty's Judges as to restrict criminal business at the assizes to cases committed for trial to the assizes, or whether it is intended to further employ Her Majesty's Judges, as at the late Spring Circuits, in the trial of "Sessions Cases?"

SIR WILLIAM HARCOURT: This is a matter over which I have no control. It is settled by the Judges themselves, and their view is that at their Circuits there must be a gaol delivery of all prisoners, whether committed to the Assizes or to the Quarter Sessions.

MR. ARTHUR ELLIOT: The right hon. and learned Gentleman is aware that since the last Circuit some changes have been made.

SIR WILLIAM HARCOURT: The change has been the result of a decision come to at a meeting of the Judges.

POOR LAW (IRELAND)—SHILLELAGH UNION—ELECTION OF GUARDIANS.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, What is the result of the inquiry held on 4th June into the election of a Poor Law Guardian for Shillelagh Union; whether it is true that Mr. Hopkins, the clerk of the union, wrongly refused to receive a nomination paper from Mr. Michael Fleming, and thus gave his relative, Mr. Hopkins, the sitting guardian, an unopposed election; whether it is true that Mr. Hopkins, the clerk of the union, is not related to Mr. Hopkins, the sitting guardian, or whether the relationship was admitted at the investigation; and, what steps he intends to take in the matter?

MR. TREVELYAN: Sir, the result of the inquiry is that it has been decided that the Returning Officer erroneously refused to accept a nomination paper from Mr. Michael Fleming; and the election of Mr. James Hopkins, who, in consequence of that error, was returned unopposed, has been declared void, and a new election will be held. The Local Government Board consider that the Returning Officer did not take sufficient trouble to satisfy himself as to the qualification of Mr. Fleming to nominate a candidate, and they have cautioned him that he must discharge his duties with more care in future. They do not think that he acted from any improper motive, but that his error arose from want of care. It is not true that any relationship was admitted between the Returning Officer and Mr. James Hopkins. On the contrary, the Returning Officer repeated at the inquiry what he had previously stated—namely, that he was not aware of any relationship between them.

MR. O'KELLY: Will the right hon. Gentleman say how he came to the conclusion that the Returning Officer's measures were proper?

MR. TREVELYAN: The case is a very simple one. Mr. Michael Fleming's name does not appear in the rate-book. The names merely of the representative of Mr. Peter Fleming appears, and accordingly the Returning Officer was not aware that he was qualified.

MR. O'KELLY: Was it not part of his duty to know the law?

MR. TREVELYAN: I daresay he did know the law. It was not an error as to the law.

LIGHTHOUSE ILLUMINANTS—THE COMMITTEE—LETTER OF MR. VERNON HARCOURT.

BARON HENRY DE WORMS asked the President of the Board of Trade, If he would explain why, in the letter of Mr. Vernon Harcourt, Gas Referee to the Board of Trade, printed at page 29 of the Parliamentary Papers recently issued on the subject of Lighthouse Illuminants, there are stars, signifying omissions; whether these omissions refer to the fact that Sir James Douglass had sold his lighthouse patents to a Company for a very large sum of money, and also contain an opinion by Mr. Vernon Harcourt adverse to the merits of the Douglass burner; and, whether he will have any objection to print the letter in full?

Mr. CHAMBERLAIN was understood to say that the particular document referred to by the hon Gentleman was distinctly stated in the Parliamentary Papers to be an enclosure from the Board of Trade to the Trinity House. It was referred to in that letter as extracts from a communication from Mr. Vernon Harcourt; and it was printed in the Papers precisely as it was sent to Trinity House. There would be no objection to let the hon. Member see the letter in full.

Colonel KING-HARMAN: Will the right hon. Gentleman say whether the Lighthouse Illuminants Committee is proceeding with its work now, and whether the Irish Lights Commissioners have joined it?

Mr. CHAMBERLAIN: I am not quite certain whether the Committee is proceeding with its work in the absence of the representatives of the Irish Board. We have communicated from the Board of Trade to the Irish Board the views of the Lighthouse Committee on the subject of difference between them, and we are awaiting their reply.

REGISTRATION OF VOTERS (IRELAND) —REVISION COURTS.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware of the inconveniences occasioned to voters throughout Ireland from the great distances they have to go in many cases to attend the Revision Courts; whether he will introduce a clause into the promised Registration of Voters Bill providing that a court shall be held at each polling place for the revision of the voters' lists; and, whether, in case the Bill does not become Law in time for the next revision, he will communicate with the County Court Judges with a view to obviating the inconvenience?

Mr. TREVELYAN: I am aware, Sir, that in counties where the registry is contested some inconvenience to individuals must arise from being obliged to attend the Revision Courts at Quarter Sessions towns; but I can hold out no promise of providing that a Revision Court shall be held at each polling place. The objections to this course are such as to render it quite impracticable. The Lord Lieutenant has power, with the advice of the Privy Council, to appoint additional places at which Revision Courts should be held, and any application made to His Excellency to exercise that power would, no doubt, receive careful consideration.

LUNACY (SCOTLAND) ACT, 1862—TRANSFER OF CRIMINAL LUNATICS FROM PERTH PRISON.

Mr. RAMSAY (for Mr. Anderson) asked the Secretary of State for the Home Department, If it be the fact that the Scotch Lunacy Act (25 and 26 Vic. c. 54,) by section 23, empowers the Governor of Perth Prison to send prisoners who have become insane back to the prison where they were committed, but that this must be "within fourteen days" of the expiry of the sentence; if the Governor of Perth Prison or the Prison Commissioners were entitled to interpret this power as extending to any period subsequent to the expiry of the sentence, in some cases even twenty years after; if the authorities at Broadmoor have legal power to send prisoners to Perth Prison for the purpose of being disposed of as above; and, if he is aware that within a few months back four prisoners under such circumstances have been sent to Glasgow to be supported, though having no claim of settlement there; and, if so, what redress he proposes?

The LORD ADVOCATE (Mr. J. B. Balfour): I do not think that the power given by the section of the Statute referred to requires to be exercised within 14 days of the expiry of the sentence. My hon. Friend has overlooked the words "or otherwise," which follow those he has quoted, and in my opinion the Prison Commissioners were justified in their action. The prisoners were removed from the convict prison at Broadmoor to the convict prison at Perth under the authority of the Secretary of State, and I think their removal was quite within his powers. I am aware that four prisoners were recently removed to Glasgow in the manner described, and I am afraid that if there was any hardship in this particular case it is not in our power to redress it. The law is that when the period expires during which the State has undertaken to detain a prisoner he is no longer maintained, whether sane or insane, at the public expense, but when taken back to the place where he was first committed to prison, then, if he is insane, the parochial authorities are bound to take care of him like any other pauper lunatic until they discover his settlement. The case of the four prisoners who were kept at Broadmoor at the public expense for a long period is a very exceptional one not likely to occur again. But the fact of their having been so long supported by the State does not afford a good reason for their not being now treated like all other criminal lunatics, who are invariably sent to the prison of commitment. In some cases this involves a hardship to the parochial authorities, and it is under consideration whether some better means of imposing the chargeability can be devised; but the problem is a very difficult one.

ROYAL IRISH CONSTABULARY (AUXILIARY FORCE).

COLONEL KING-HARMAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether an opportunity will be given to men of the Auxiliary Force of the Royal Irish Constabulary, who have been serving during the past eighteen months, and who are now under notice of discharge, to join the Force as regular members, provided their conduct has been good during the period of their service?

MR. TREVELYAN: Sir, It is quite open to any of the men referred to, who are within the proper limits of age, to apply to be taken on the permanent force, and instances have already occurred where such men have been appointed. Any applications from men of good character recommended by their County Inspectors, and otherwise qualified according to existing regulations, would receive favourable consideration.

MERCHANT SHIPPING ACTS — COLLISION AT SEA—THE "WAVE."

MR. O'DONNELL (for Mr. MOLLOY) asked the President of the Board of Trade, If his attention has been drawn to the late collision between the passenger and mail steamer "Wave," the property of the London Chatham and Dover Railway Company, plying between Dover and Calais, and another ship; if he can state what number of passengers and crew are licensed to be carried; what was the number of passengers and crew carried on the occasion of the collision; what number of life-boats, if any, or other small boats, were carried by the "Wave" on this occasion; and, what number of passengers could be carried by these life-boats or other boats in ordinarily rough weather?

MR. CHAMBERLAIN, in reply, said, the Board of Trade had received the customary official Report of this collision. The *Wave* was certified to carry 339 passengers, and the number on board at the time of the collision was 101, besides a crew of 20 men. The *Wave* carried four boats—of an aggregate capacity of 567 cubic feet—of which two were life-boats. These four boats would carry about 56 passengers under ordinary circumstances.

PARLIAMENT—STANDING COMMITTEE ON LAW, &c.—CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL.

MR. JOSEPH COWEN asked the Attorney General, If, as it will be impossible for the Grand Committee on Law to pass the Criminal Code Bill this Session, he means to persevere further with it?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that if the premises of his hon. Friend were correct—namely, that it would be impossible for the Grand Committee on Law to pass the Bill this Session, of course, he should answer that Question in the negative, and say that he did not mean to persevere further with it. But he had endeavoured to discover the opinion of different Members of the Committee; and, although he admitted that his hopes were not now so strong as they had been in the matter, yet there were Members of the Committee who thought they ought to do their best to pass the measure, and he shared that view with them. He, therefore, did not wish to see the Bill withdrawn, and he hoped that the Committee would still persevere with its consideration, and endeavour to make further progress.

POST OFFICE—THE PARCELS POST—RURAL LETTER CARRIERS.

MR. BIGGAR asked the Postmaster General, Whether or not the Parcels

Post will increase the labour and emoluments of the Irish rural letter carriers?

Mr. FAWCETT: Sir, the labour of the Irish rural letter carriers will, equally with that of most rural letter carriers in the rest of the United Kingdom, be no doubt increased by the Parcels Post. The cases of the rural letter carriers are now under consideration; and, in reply to the hon. Member, I may say that increased remuneration will be given in those cases where it is thought to be required.

PRISONS (SCOTLAND)—CLOSING OF THE PRISON AT DUNFERMLINE.

Mr. PRESTON BRUCE asked the Secretary of State for the Home Department, Whether it is the intention of the Government to close the prison at Dunfermline; if so, whether any provision will be made for the accommodation there of untried prisoners and prisoners undergoing short sentences, seeing that Dunfermline is the centre of a populous district and the seat of a sheriff court?

The LORD ADVOCATE (Mr. J. B. Balfour): Sir, on behalf of my right hon. Friend I beg to say that it is the intention of the Government to close the prison at Dunfermline. I quite agree with my hon. Friend that it is very desirable that accommodation should be provided there for untried prisoners and those undergoing short sentences, and if application is made by the local authorities, the old prison will be conveyed to them, and it will be legalized for that purpose.

PARLIAMENTARY ELECTIONS (IRELAND)—THE WEXFORD ELECTION.

Mr. O'BRIEN (for Mr. Harrington) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that at a meeting of electors held in Wexford on Sunday 10th, in support of the candidature of Mr. Small, a police constable and a Government reporter entered the committee rooms for the purpose of reporting the proceedings; whether the constable and reporter were acting under the instructions of the Government in thus presenting themselves in the committee room of a candidate; and, whether such a proceeding is not calculated to interfere unduly with the right of election?

Mr. Biggar

Mr. TREVELYAN: Sir, a constable and a Government reporter did enter the room where the meeting referred to was being held. They did not do so under instructions from the Government, but upon the invitation of a leading member of Mr. Small's committee. They were subsequently asked to retire, and at once did so. There does not appear to be anything in the matter calculated to interfere with the right of election.

POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

Mr. KENNY (for Mr. Dawson) asked the Postmaster General, Whether he will state to the House the minima of length, breadth, tonnage, horse-power, and other conditions required to secure in the future mail boats for Ireland at least equal speed and stability as possessed by those now on the service; whether there is any probability of inferior boats being even temporarily used; whether he will secure for the Irish Mail Service a land transit as rapid as that supplied on the Great Northern and Midland Lines to Leeds, viz. 45.61 miles and 45.33 miles respectively; and, whether he will also secure for passengers by the Irish Mail Service a rate of charge not exceeding that charged by the London and North Western Company on their Scotch Mail Service?

Mr. FAWCETT: Sir, the advertisement for tenders for the service between Holyhead and Kingstown specifies the character of the mail boats employed under the present contract in respect of the particulars referred to by the hon. Member, requests that similar particulars may be supplied of the vessels to be employed under the new contract, and stipulates that such vessels shall be, at the least, equal in respect of speed, stability at sea, and accommodation for mails and for passengers to the vessels now in use. It will be my endeavour to avoid the employment of inferior boats even temporarily for the Irish mail service. I am fully alive to the desirability of obtaining for the Irish mail service as rapid a land transit as practicable, and have asked the London and North-Western Railway Company to state the acceleration they are prepared to afford. In reply to a previous Question, it has been stated that the London and North-Western Railway Company have been informed that it will be a condition of any new contract that some security should be given that the public would not be prevented from availing themselves of the mail trains in consequence of unduly high fares.

VACCINATION — DEATH IN ST. PANCRAS WORKHOUSE.

MR. HOPWOOD asked the President of the Local Government Board, in regard to the case of Rosina Walsh, re-vaccinated a day after her confinement, and also to the inquest on her infant, which was vaccinated at eight days' old, and died of inanition, Whether his attention has been called to a letter in the "Lancet," purporting to be written by Dunlop, the vaccinating officer, which states that he re-vaccinated at similar early periods 1,500 women; whether this practice is approved of by the Local Government Board; whether, on the testimony of Dr. Whitefoord, also contained in the "Lancet," there is now to be seen clear evidence on the arms of the mother that she had been vaccinated in infancy and re-vaccinated more recently; if so, whether the Board consider the re-vaccination justifiable; whether the mother asserts that, being unaware she was to be re-vaccinated, her arm being bared without consulting her feelings in any way, and that she suffered severely from the effects of the operation; and, whether the Board will any longer delay the announcement of its views on the subject for the guidance of vaccinating officers?

SIR CHARLES W. DILKE: Sir, Dr. Dunlop states that his own experience of the vaccination of women at an early period after labour extends to nearly 1,500 cases, and that these vaccinations have not been attended by any injurious effects. With regard to the Question whether the practice is approved by the Board, a similar Question was answered on Monday last. The testimony of Mr. Whitefoord, which is said to be contained in *The Lancet,* as to the arms of the mother affording clear evidence of vaccination and re-vaccination, has not been found in that journal. The depositions taken by the Coroner do not show that Mr. Whitefoord gave any evidence on the subject, but Rosina Walsh stated that she had been vaccinated in infancy and about seven years ago. Dr. Dunlop says that he does not remember having asked in the particular case whether the woman had ever been re-vaccinated, but that it was his usual practice to do so, and that there were no marks suggestive of anything like recent vaccination. If Dr. Dunlop did not make inquiry as to previous re-vaccination, the Board considers that he should have done so. The mother stated before the Coroner that Dr. Dunlop vaccinated her without her being asked whether she wished to be vaccinated; while Dr. Dunlop says that she was aware she was going to be vaccinated, but raised no objection. The woman stated that her arm was swollen and bad after the vaccination, and that she had it in a sling. According to the evidence of Dr. Dunlop and the midwife, the arm of the woman when she left the workhouse had only dry scab upon it, and there is no evidence that she "suffered severely" from the effects of the operation. I have already stated that steps would be taken to inform Dr. Dunlop of the Board's view upon the case, but see no occasion for the issue of formal instructions.

ARMY—ORDNANCE STORE DEPARTMENT.

LORD EUSTACE CECIL asked the Surveyor General of the Ordnance, Whether the Government have any intention of granting to storeholders and foremen of the Ordnance Store Department at Woolwich, and other ports of embarkation, some compensation for the very unusual amount of overtime they were called upon to work during the preparation for the Campaign in Egypt, as well as for their arduous exertions in connection with the supply of stores when active operations had begun?

MR. BRAND, in reply, said, he found that a similar Question to this had been previously put by the junior Member for Greenwich (Baron Henry De Worms) and answered by the Secretary of State for War.

SEA AND COAST FISHERIES (IRELAND) FUND BILL.

MR. BLAKE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he intends proceeding with the Sea and Coast Fisheries (Ireland) Fund Bill; and, if not, if he will be good enough to state his reason for not doing so?

Mr. TREVELYAN: It is not my intention, Sir, to ask the House to proceed further with this Bill. The reason of this decision, which I have arrived at with much reluctance, is that I have been unable to come to any satisfactory arrangement with the Trustees to aid Sea and Coast Fisheries as to the position of their Secretary. If the wishes of the Trustees were carried out, a charge upon the Fund or upon the Estimates would be involved, so far, in my opinion, in excess of the rights of the case that I should not feel myself justified in asking the House to consent to it.

Mr. BLAKE asked for the Correspondence between the Trustees and the Chief Secretary.

Mr. TREVELYAN: The Correspondence will tell the whole story. I shall be glad to lay it on the Table.

Mr. GRAY: Is the House to understand that a Bill of great public importance is to be postponed because of the claims of some one individual?

Mr. TREVELYAN: I do not choose to allow that insinuation to pass without an answer.

Mr. GRAY: It is no insinuation.

Mr. TREVELYAN: Well, I withdraw the word "insinuation." The Bill was originally brought forward in consequence of some Correspondence with the Trustees, and on the understanding that their Secretary should be dealt with liberally. On seeing the Correspondence it will be found that the ideas of the Trustees as to what is liberal treatment differ from my ideas; and having consulted the hon. Member, who took a deep interest in the Bill, I decided to allow it to drop. Having brought forward the Bill at the suggestion of the Trustees, I did not think it right to endeavour to force their hands.

EDUCATION (SCOTLAND) BILL—UNAUTHORIZED PUBLICATION.

Mr. J. A. CAMPBELL asked the Vice President of the Council, Whether he can explain how it has happened that the Education (Scotland) Bill, which was read a first time on Wednesday last, but has not yet been issued to Members, has already appeared in full in the columns of an Edinburgh newspaper?

Mr. MUNDELLA, in reply, said, he did not think there was any breach of faith in this case. He gave the Bill in print to the Bill Office on Wednesday afternoon, after introducing it, and he had previously consulted some half-a-dozen Scottish Members with respect to one clause, which he afterwards struck out, and he gave them the rough proof. The Bill would have been delivered immediately to Members, but on Thursday he took a Memorandum to the Office, which he desired to have printed and circulated with it. He could not explain by what means it got into the Scottish papers.

Sir HERBERT MAXWELL asked what steps had been taken to trace the author of this and similar offences in the present and former Sessions?

Mr. MUNDELLA said, he was not aware that any complaint had been made in a former Session, except in the case of a Report; but, even had that been the fact, he hardly thought he was called upon to explain what had been done in the matter. He, however, did not think there had been any breach of faith in this instance, because hon. Members to whom he had given the Bill were Members interested in it. The Bill he gave was in an incomplete form, and it was given on the understanding that it should not be used until after he had introduced it. It would have been delivered on Thursday—the day it appeared in the public print—but for the fact that he wished to circulate with it a printed Memorandum giving the reasons for introducing the Bill.

LAW AND JUSTICE (IRELAND)—ALLEGED POISONING OF MR. JURY.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as stated by the Press Association and the Dublin correspondent of the "Daily News," that Mr. Jury's body was only exhumed in consequence of the publication in the newspapers of the alleged poisoning by the Invincibles; also the dates on which Mr. Jury's body was exhumed and the medical inquiry ordered?

Mr. TREVELYAN: Sir, it is not the case that the body was exhumed only, or at all, on account of newspaper reports. I explained the reason why it was exhumed a few days ago. The exhumation took place on the 29th of May. On the previous day Dr. Cameron had been asked to make the analysis.

SPAIN—EXPULSION OF CERTAIN CUBAN REFUGEES FROM GIBRALTAR —GENERAL MACEO—THE PAPERS.

Mr. O'KELLY asked the Under Secretary of State for Foreign Affairs, When the Papers in reference to the treatment and imprisonment of General Maceo will be placed in the hands of Members?

Lord EDMOND FITZMAURICE: I have laid the Papers on the Table today, and I hope that they will be distributed on Thursday.

Sir R. ASSHETON CROSS asked if there was any chance of General Maceo being released?

Lord EDMOND FITZMAURICE said, that the Papers in question related to the inquiry of the hon. Member (Mr. O'Kelly), and he could not give any answer to the right hon. Gentleman on that point.

POST OFFICE—IMITATION TELEGRAMS.

Mr. LONG asked the Postmaster General, Whether his attention has been called to the practice, recently adopted by certain persons, of advertising by means of announcements printed in form and enclosed in envelopes precisely similar to those used by the Post Office Telegraph Department, which communications have been delivered by hand to householders in London in large numbers, and have caused considerable inconvenience; and, if so, whether any means exist or can be devised to prevent the use of such colourable imitations of telegrams?

Mr. FAWCETT: Sir, my attention was recently called to an advertisement of the kind described by the hon. Member, and I may say that on my pointing out to the person responsible for its issue how objectionable such a form of advertisement was, he expressed his deep regret, and promised that he would never issue such an advertisement again. Whenever anything of the kind has been brought under the notice of the Department, and this has not often occurred, a remonstrance has always had the effect of stopping it.

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI.

Lord RANDOLPH CHURCHILL asked the Under Secretary of State for Foreign Affairs, Whether his attention has been drawn to an extract in the "Morning Post" of Friday, 15th June, from the Egyptian Gazette, giving an account of the trial of Suleiman Sami; and, if so, whether he can ascertain whether it is the case, as stated in that account, that Suleiman Sami pleaded "not guilty;" that his advocate, Jacobbi, requested permission to open the proceedings by lodging certain evidence taken in another case which bore specially upon the one before the Court; whether the Court refused such permission, and at once called upon the Public Prosecutor; whether the Public Prosecutor in his speech used the following expression:—

> "By its sentence the Court would afford some consolation to those who had suffered from the cruelties perpetrated on the fatal day of the 11th of June;"

whether, at the conclusion of the speech of the Public Prosecutor, Mr. Jacobbi objected to the course taken in having heard the Public Prosecutor before the witnesses had given their evidence; whether Mr. Jacobbi applied that the depositions and other documents taken in the trial of Arabi should be brought before the court, as they bore special reference to the trial of Suleiman Sami; whether the court refused the application, and thereupon the advocate, Jacobbi, threw up his brief, after a long and elaborate protest, which he handed to the court; whether that protest can be obtained and laid upon the Table of the House; what part, if any, Major Macdonald took in the discussions; whether he has made any Report of the proceedings to Sir E. Malet, and, whether such Report can be laid upon the Table; and, in the event of no such Report having been made, whether Her Majesty's Government will call for one, and lay it upon the Table; whether he has received any information as to the report that Suleiman Sami was poisoned or drugged on the night preceding his execution; and, whether, as in this Country, any post mortem examination of the body was made?

Lord EDMOND FITZMAURICE: Sir, I am not in a position to give to the House any information on the points alluded to by the noble Lord. Major Macdonald will forward his Report upon the trial to Sir Edward Malet, and it will in due course be laid before Parlia-

Majesty's Government on those subjects.

Mr. GLADSTONE: Sir, I do not quite understand the motives which have led the hon. and learned Member to put this Question to me; but I will endeavour to answer it with the gravity which characterized his tone in putting it. My right hon. Friend has, I believe, expressed at Birmingham his own personal opinion as to the question of the payment of Members of Parliament and the formation of electoral districts; but I understand that my right hon. Friend made it quite clear that he did not express the opinion of the Government, and I believe that he even reserved a certain amount of discretion to consider within what limits he should apply his own personal opinion if he had the opportunity. I have not thought it at all necessary to ascertain by a catechism addressed to my Colleagues what their opinions may be upon the subject.

Mr. J. LOWTHER: I wish to ask the hon. Gentleman whether he is aware that his Cabinet Colleague, in the speech to which reference has been made, advocated manhood suffrage; and whether the House is to understand, by the answer of the right hon. Gentleman, that the fundamental basis of the Constitution is to be treated by the Government as an open question?

Mr. GLADSTONE: Sir, the Question of the hon. and learned Member for Bridport (Mr. Warton) did not call my attention to the subject of manhood suffrage. With regard to "the fundamental basis of the Constitution," the Constitution and its fundamental basis have, within my recollection, been declared by the Party opposite to have been destroyed 10 or 12 times over. If the right hon. Gentleman would be good enough to explain explicitly what he means by the fundamental basis of the Constitution, so that we may know, I shall be happy to answer him; but, until he does, I should be loth to commit myself to an answer on a Question of so grave a character.

LAW AND POLICE—THE DISASTER AT SUNDERLAND.

Sir R. ASSHETON CROSS wished to ask the Home Secretary, Whether he had received any further information as to the terrible disaster which happened at Sunderland, and whether he would take care that at the Coroner's inquisition on this painful matter some person would be there to represent the Government and watch the proceedings?

Sir WILLIAM HARCOURT: Sir, I have been in communication since yesterday with the Mayor of Sunderland on the subject of this most terrible calamity. The information which he has conveyed to me contains nothing new beyond that which appears in the papers. I have already ordered that a barrister should attend at the inquest in order that the fullest information may be obtained as to the cause of the accident in question. Of course, until that is done, it would not be right for me to express any definite opinion on this subject; but there is one observation which I may be allowed to make. When we have a great concourse of people taking place out-of-doors, it is generally thought necessary by the police to take precautions against any disorder or disturbance. But it does not seem to be thought equally necessary to take similar precautions in regard to concourses of people in large buildings, when, as it seems to me, those precautions are, if possible, even more necessary than in the open air.

Mr. MACFARLANE asked if the right hon. and learned Gentleman would take means to make the same regulations apply to the country that were now enforced in the Metropolis?

[No answer was given to this Question.]

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether he can communicate to the House any information regarding the official reports upon the Criminal Procedure Bill; and, whether the Government will telegraph to India, directing that the reports of the Bengal and Assam officials which have already been received shall be sent home at once, for the information of this House?

Mr. J. K. CROSS: Sir, I can only inform the hon. Member for Eye that the Government of India are aware of our anxiety to have the answers to the last Circular on the Criminal Procedure Amendment Act sent home as soon as possible, and it is quite unnecessary to telegraph for these Reports to be sent piecemeal.

AUSTRALIAN COLONIES—THE GOVERNORSHIP OF QUEENSLAND.

Mr. RAIKES: I beg to give Notice that to-morrow I shall ask the Under Secretary of State for the Colonies, If there is any foundation for the report that the Governorship of Queensland has been offered to the hon. and learned Member for the City of Limerick (Mr. O'Shaughnessy)?

Mr. EVELYN ASHLEY: I may as well say at once that there is no truth whatever in the report.

PARLIAMENT — BUSINESS OF THE HOUSE — THE PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) AND THE AGRICULTURAL HOLDINGS (ENGLAND) BILLS.

Mr. HENEAGE asked the Prime Minister, If the Committee stage of the Agricultural Holdings Bill would be taken in such time that the final stage would be reached early in August, so that landlords and tenants would have an opportunity of considering it before Michaelmas?

Mr. GLADSTONE: Sir, the only arrangement I consider to have been made with regard to the Business of the House in respect of the Bill referred to and that of the Parliamentary Elections (Corrupt and Illegal Practices) Bill relates to the stage of Committee. After the stage of Committee the matter will have to be considered again as to what may be, on the whole, most advantageous for the Business of the Session. But most certainly I should regard it as a very unhappy circumstance if this Bill should not be passed within the liberal margin of time my hon. Friend assigns.

PRIVILEGE.

PARLIAMENT—PRIVILEGE—THE SPEECHES OF MR. JOHN BRIGHT AT BIRMINGHAM.

Sir STAFFORD NORTHCOTE: Sir, I desire permission to call the attention of the House to some remarks made on Thursday last, I think, the 14th of June, at Birmingham, by the right hon. Gentleman the senior Member for Birmingham (Mr. John Bright), which appear to me, if they are correctly reported, to amount to a breach of the Privileges of the House. I have already had an opportunity of informing the right hon. Gentleman of my intention of bringing this matter forward, and have sent him a copy taken from *The Times* newspaper in order that he might inform me if there were any inaccuracies in that report. I presume that I may take it for granted that the words are faithfully reported. The matter is one which I am sorry to be obliged to bring before the House, because I quite feel, as you, Sir, have on former occasions expressed it, that it is undesirable that time should be taken up with discussions of this character, except when the case is strong and important. But, Sir, it does appear to me that, in the present instance, the gravity of the charge made by the right hon. Gentleman and the authority of the right hon. Gentleman himself are so great that it is one of those cases that must be treated as exceptional, and demanding immediate notice. I will read the words to which I specially object; but before doing so I wish to point out that by the context the words are evidently pointed at the great body of the Conservative Party in this House. They occur in the course of an argument addressed by the right hon. Gentleman to his constituents at Birmingham, in which he points out various faults which he has found with the Conservative Pary to which he has so long been opposed. He makes a survey of the course the Conservative Party have pursued from the days of Sir Robert Peel to the present time; and there can be no doubt, therefore, as to the persons to whom he refers. The remarks to which I wish particularly to call the attention of the House are these. The right hon. Gentleman says—

> "Now, the House of Commons at this moment, and it is the last point to which I will make reference, the House of Commons, in a portion of its Members, seems to me to be abandoning the character and conduct of gentlemen, as heretofore seen in that assembly. The party of which I have spoken, in not a few of its Members, appears willing to repudiate the authority of a majority of the Constituencies."

That appears to me a charge against us for not immediately accepting the dictates of the majority. Then come the words to which I particularly wish to call attention—

> "They know that the majority believes as the Constituencies believe, and wishes to do for the Constituencies what the Constituencies de-

mand, but they are determined, if it be possible, that the majority of the Constituencies shall fail in their efforts. And, what is worse at this moment, as you see (and you do not so much see it here as it is seen in the House")

—therefore, he was speaking from his own experience in the House—

> "They are found in alliance with an Irish rebel party, the main portion of whose funds, for the purposes of agitation, come directly from the avowed enemies of England, and whose oath of allegiance is broken by association with its enemies. Now, these are the men of whom I spoke, who are disregarding the wishes of the majority of the Constituencies, and making it impossible to do any work for the country in the House of Commons."

Now, so far as these words are intended to convey to his hearers and the public that there is anything in the nature of systematic Obstruction by the Conservative Party of measures brought forward in this House—I mean Obstruction as distinguished from that fair opposition and discussion which it is the duty of every minority, which I venture to say that the right hon. Gentleman in his past career has on many occasions found it necessary to give to measures in this House—I say that if there is in these words an intention on the part of the right hon. Gentleman to impute to the Conservative Party any other opposition than that, that charge is unfounded and baseless; and I say, moreover, that it is a charge which, if made at all, ought to be made, not on a platform at Birmingham, but it should be made in the House of Commons, and in such a manner that it can be met and discussed and settled in the presence of those against whom the charge is made. That is my complaint with regard to the substance of the charge; but as regards some of the language which I have read, the matter goes even beyond that. The right hon. Gentleman has charged the Conservative Party, in language which is very clear—his language always is clear—with being in alliance with a "rebel Party," and a Party whose Oath of Allegiance is broken by association with the enemies of the country. That is language to which it is utterly impossible that Members of this House can, on whatever side they sit, listen without demanding some explanation and some satisfaction for such extraordinary observations. I do not mean to trouble the House by going into the question of precedents for calling the attention of the House to breaches of Privilege, though I could detain the House at some length if necessary, for the purpose of showing what the precedents are in this connection. I will only refer to one case, one of the latest, and I refer to it for the purpose of quoting an opinion then expressed by Mr. Disraeli, the Leader of the House, and which I think fairly expresses the view we ought to take on this matter. It was on the occasion when Mr. Sullivan, then a Member of this House, brought certain charges against more than one Gentleman as to certain language used with regard to the Irish Party outside the House, and more especially by Mr. Justice Lopes, who was then a Member of this House. In the course of the discussion Mr. Disraeli said—

> "I am not here to deny that it is a breach of Privilege to speak of any Members of this House in their capacity as such in terms which imply disgrace or ignominy."

It appears to me that the right hon. Gentleman the Member for Birmingham has so spoken of Members of this House. It appears to me that the language he has used is of a character that, being very serious and being applied to hon. Members in their capacity of Members of Parliament, demands notice on the part of the House. I shall not detain the House any longer, as I think it is unnecessary to do so; but I will ask that the remarks which I have quoted as reported in *The Times* newspaper be now read by the Clerk at the Table; and, when they have been so read, it is my intention to move that they constitute a breach of Privilege.

The said Paper was delivered in, and the paragraph complained of read as follows:—

> "Now, the House of Commons at this moment, and it is the last point to which I will make reference, the House of Commons, in a portion of its Members, seems to me to be abandoning the character and the conduct of gentlemen, as heretofore seen in that assembly. The party of which I have spoken, in not a few of its Members, appears willing to repudiate the authority of a majority of the Constituencies. They know that the majority believes as the Constituencies believe, and wishes to do for the Constituencies what the Constituencies demand, but they are determined, if it be possible, that the majority of the Constituencies shall fail in their efforts. And, what is worse at this moment, as you see (you do not so much see it here as it is seen in the House), they are found in alliance with an Irish rebel party, the main portion of

whose funds, for the purposes of agitation, come directly from the avowed enemies of England, and whose oath of allegiance is broken by association with its enemies."

Motion made, and Question proposed, "That the words complained of are a Breach of the Privilege of this House."—(*Sir Stafford Northcote.*)

MR. JOHN BRIGHT: Mr. Speaker, I am surprised at the course which the right hon. Gentleman has thought it his duty to take, though I admit that, in taking that course, he has not said a single word I could complain of, and his manner has been as respectful to me as I hope in what I have to say I shall be respectful to him. I am not surprised that some of the passages in my speech should have excited what, in ancient phraseology, is said to be "searchings of heart" among hon. Gentlemen opposite. In judging of this matter the House will bear in mind that I was speaking to my constituents, on which occasion men have a right, if at all, to speak with great freedom, and I have had the opportunity during the past week of seeing a great number of my constituents—a greater number than I ever saw before, and, probably, than I shall ever see again; and I found among them a considerable anxiety—an anxiety which, I believe, exists not only amongst them, but also amongst the constituents of many Members of this House—at the slow progress made in the Business of this House. They felt that questions ought to be fairly discussed, and, after being debated to a reasonable extent, that progress should be made, but that, in point of fact, last year and this year no progress has been made; and I think that many constituencies throughout the country partake of that anxiety. Now, that being so, it was my duty to explain to my constituents what it was that caused the difficulty; and I believed that was to be found in showing that on the part of hon. Gentlemen opposite the most easy way to damage the Government was found to be by making it impossible for the Government Business to succeed. I have no objection whatsoever—no man ought to have less—to a full debate and an honest division, and then my opinion is that Business should proceed; and if there be a conduct opposed to that, which I believe there has been, then I think it was my duty to explain my own views to my constituents; and if the right hon. Gentleman had read the whole of the passage at the end of my speech, he would have found the advice I gave to my constituents on the matter; in fact, it would have been a great advantage to the House if he had read it. The right hon. Gentleman's objection—in fact, I think, his whole objection—is to the use of the word "alliance." The right hon. Gentleman does not object to a section of the Irish Party being called "rebels." The right hon. Gentleman objects to my statement that some Members of the Conservative Party have been acting in alliance with certain Gentlemen, whom I specified, among the Irish Members. There can be no doubt about their acting with them. [*Cries of* "No, no!" *and* "When?"] Hon. Gentlemen will have an opportunity of speaking afterwards. I am free to admit that the term "alliance" is capable of a meaning which I did not intend to give it. I had no idea at all that there were any two Parties or sections who had met or agreed what was to be done, or that there had been any kind of arrangement. I found them acting together, and therefore the word "alliance" is the word that came first to my lips. I quite admit that it is capable of another interpretation, and perhaps I ought to have been more careful in the selection of the phrase. The right hon. Gentleman must be happy, I think, that I did not use another word — the word "treaty." Why, Sir, for 12 months past hon. Gentlemen opposite have been assailing the Government, and especially my right hon. Friend at the head of the Government, on the ground of some treaty which some ingenious person called the Treaty of Kilmainham. Although my right hon. Friend, over and over again, explicitly denied that any such term could be rightly applied to anything that had taken place, still hon. Gentlemen opposite were incessantly returning to the charge. I used no such words as that I believed there was a treaty; for I am quite sure the right hon. Gentleman who has introduced this subject would not make any treaty, or, in fact, any alliance of the description to which I have referred. Well, then, there are, as the House well knows, in opposition to the Government two sections of the House, one sitting opposite me there, on the

Opposition Benches—and one sitting opposite me here—on the Benches below the Gangway—[An hon. MEMBER: And another there—the Fourth Party.] Well, those two sections of the House appear to me to have the same purpose in view —I do not say every Member on that side of the House would admit it—and that is to worry the Ministry and destroy the Government. Well, this state of things leads naturally, not to a combination or alliance, but to an acting together and combined action in debate and in division. [*Cries of* "When?" *and* "Name!"] I could name an individual; but hon. Members will well recollect that at a great Division lately, in which, taking only the Members for Great Britain, there was a majority of 63 in favour of a Government Bill—[*Cries of* "What Bill?"] —in favour of a Government Bill. We know that about 1 o'clock in the morning, or lateror earlier, when the Division took place, we were present, and know what exultation there was on that side of the House, cheering of the most vociferous kind, and mutual congratulations; and it was impossible for anybody here to determine accurately to which section of the Opposition the principal glory of the conflict and victory ought to be awarded. There is another point on which I observe the same course is pursued, and that is with regard to Questions at Question time. The House knows that on particular nights—Government nights especially—there are three or four times as many Questions put down on the Paper as on other nights, the purpose of that being, no doubt, to baffle the objects of the Government. The Members of the Government are on these Benches every night. ["No, no!"] I am not, of course, speaking of Wednesday night, but of other nights, and they are ready to answer Questions; but the crowd of Questions are placed upon the Paper for two nights particularly in the week. I think the right hon. Gentleman referred to my having spoken rather unfavourably with regard to the gentlemanly conduct I have observed in the House. Now, I have seen at Question time sometimes five or six Members getting up at once and clamouring to the right hon. Gentleman at the head of the Government in a manner which I can assure hon. Members in my younger days in the House would never have been thought of. Do you suppose that my right hon. Friend Mr. Charles Villiers, the Member for Wolverhampton, Mr. Cobden, Mr. Ricardo, myself, or three or four others who sat here constantly debating the question of Free Trade—do you suppose that any one of us would have dealt with Sir Robert Peel in the manner in which hon. Gentlemen deal constantly with the right hon. Gentleman at the head of the Government? The right hon. Gentleman who has brought this matter before the House will permit me, I hope, to bring one case under his notice of things that are sometimes said by hon. Members out of the House. I am quite certain that the right hon. Gentleman does not read any of the speeches made by his own supporters out-of-doors. He cannot read them; for if he did he would not be so ignorant as he appears to be of what has taken place. The right hon. Gentleman himself is always courteous. I have never known him, in the House or out of it, to say anything that could be regarded as uncourteous by any person. Supposing, however, the right hon. Gentleman were to read the speeches of one of his followers—I am not sure whether he is a follower or affects sometimes to be almost a Leader—the right hon. Gentleman might not have taken his present course. Now, I should like to read a short paragraph that has been sent me, taken from a speech of the hon. Member to whom I refer. This paragraph states that Lord Randolph Churchill—[*Cries of* "Question!"]—I shall not trouble the House with more than this short extract, and I shall sit down in two or three minutes. I hope, therefore, hon. Members will allow me to proceed—

> "Lord Randolph Churchill was present at the annual dinner of the Woodstock Conservative Association; and, in responding to the toast of the Conservative cause, he complained that the Government had taken no notice of the agricultural interest, which could only be described as desperate. The real truth, he said, of the present political situation was, that they had to do with a Government of impostors, with an Administration of make-believes, whose every act was either a fraud or an imposture, and it was the duty of all to lose no opportunity of enforcing an appeal to the country."

I think, Sir, if your attention is to be called to everything that is said in the country by hon. Members of either side with regard to public men or Parties in this House, we shall have a great deal to do that will not be satisfactory to the public, and will not be creditable to ourselves. There is another question to which the right hon. Gentleman has not referred. I will refer to it, because it is not unlikely that certain hon. Members opposite may see something in it applying to them; but I beg them to understand that my observation was limited to very few, and I suppose that that few would be very likely not to deny its accuracy. [*Cries of* "Name!" *and* "Order!"] The hon. Member for the City of Cork (Mr. Parnell) is not here, or else I would address my observation to him. Not that I have ever received anything from him that I have reason to complain of; but I think the House has a right to complain of their sitting in it with the views they have expressed and the conduct they have pursued; and I will say, in a sentence or two, what I have to say in justification of the phrase referred to. I refer to the declarations which have been made by Members of the Irish Party in Ireland and in this House. I recollect that on more than one occasion a Member, or Members of that Party, have said in this House that this was a Foreign Legislature, and that the Government sitting on these Benches, selected by the Queen and in accord with the majority of the House, was a Foreign Government. I recollect one of the Members of that Party, who is not at present a Member of the House—I refer to Mr. Dillon—stating in an impressive and remarkable speech that the Irish Party were obliged to carry on the conflict on the floor of this House, because they had not the means to carry on that conflict—he meant against the Government of England—on another field. I have not quoted the precise words of Mr. Dillon; but hon. Members will know that I have not misquoted him. I should like to mention two other points. I have before stated to the House what took place at the Convention at Chicago. There has been another Convention at Philadelphia, and the hon. Member for the City of Cork was reported in the newspapers to have telegraphed to the people of Philadelphia that in the things they were doing, the resolutions they were passing, and so on, they were to take care not to cause him any embarrassment by the line that they might adopt. Everybody knows; nobody denies; nay, it is notorious, that the people who assembled at these Conventions in America are avowed enemies of this country, and seek by all means to prepare—this is an idea of Bedlam—for some course of action in order to commence an operation of war against the English Monarchy. Of that there can be no manner of doubt. [Mr. O'BRIEN: They give you the chance of preventing it.] At the present moment funds are being collected in the United States, and publicly announced from time to time, for the use of an Association in Ireland whose Leaders are in this House. I say—and I might put it to the Attorney General, or any eminent lawyer in the House or out of it—whether, if there be an Association in the United States which is raising funds for purposes hostile to the English Monarchy and the English Crown, and sending these funds over here to an Association which does not adopt the same name, but looks to the same ends, these men do not break the law, and are deserving of the title which I gave to some of them? The object—the avowed object—of that particular Party with which some hon. Members opposite are associated in the United States, is to dethrone the Queen from Her Sovereignty in Ireland. [*Cries of* "No, no!" *from Irish Members.*] I would say to the hon. Member for the City of Cork, if he was here, and I will say so to his followers, if there are any of them here, that if they declare that their objects—objects, if you like, of reform of land, reform of various kinds—that their objects are loyal to the Crown—if they will say that the opinions and feelings of the Association in America are not theirs, or if they will dissociate themselves from these Associations, then I will withdraw the words I used. Nay, I will not only withdraw them, but I will make the most complete apology that it is possible to put into words. [An Irish MEMBER: An apology of words.] I am very sorry that there has been any cause to bring me into a discussion of this nature. I have not been accustomed in past years to enter into conflict with the Members of the Irish Party. They have had no warmer friend than I have been to Ireland. The father of Mr. Dillon—John Blake Dillon—a man whom I daresay many of you knew, and all who knew him respected him, wrote to me on one occasion, and invited me, on behalf of more than 20 Members of Parliament from Ireland, to go over to Dublin. I went over to Dublin, and I was received by them, not only with courtesy, but with more attention than I was worthy of. Mr. Dillon invited me there for a particular purpose. He was a man who held extreme opinions, who had been concerned in a revolutionary movement, and had to run away to America. He came back, entered this House, and he said that he believed there was no security for the real advantage and good government of Ireland, except by an alliance between the Irish Members and the Members of the Liberal Party. I wish to say no more, Sir. I have explained to the right hon. Gentleman opposite what it was that induced me to make the observation I did. I have told hon. Gentlemen opposite that if it be not true what I said with regard to them, let them say it is not true. If they say they are not disloyal—[Mr. O'Brien : We are loyal to Ireland.]—if they say that they do not desire to dismember the United Kingdom, then I withdraw the words I used, and express the utmost sorrow for having made a mistake that was unintentional and so grave. I hope the House will take into consideration that in a free country it is the duty of Members of the House of Commons, when they address their constituents, to speak freely—to speak that which they believe affects their constituents and the country at large. If I have transgressed—if it be the decision of this House that no man can use a word under such circumstances which is liable to two interpretations, as I have explained, and remember that I have repudiated the interpretation of the right hon. Gentleman—then I say that I think it is unnecessary that the House of Commons should tie its hands more than at present, should tie itself down more by its Members, and thus induce Members to bring by—what shall I call them ?—other precedents, questions like this before the House. I am certain that I have not intended anything disrespectful to the House. Many hon. Members opposite have known me for a long time ; some of them have known me 40 years, and they have never known me to treat hon. Members with discourtesy ; and as long as I have a seat in the House they never will. If the House decides that anything I have said or done is not in accordance with that freedom which I think Members of Parliament ought to have out-of-doors, I shall bow to its decision, and I hope hon. Gentlemen opposite will enable me also to change the opinion I have expressed with respect to some of them.

Mr. SPEAKER: I have to remind the right hon. Gentleman that, according to the ordinary practice of the House, it is usual, when attention is called to the conduct of a Member, for that Member to withdraw.

Mr. JOHN BRIGHT: Mr. Speaker, I was going to ask the permission of the House to remain. I presume it is likely that hon. Gentlemen on the opposite side of the House may speak, and probably they may say something which I should wish to hear. I waited after the right hon. Gentleman (Sir Stafford Northcote) had spoken for the purpose of allowing any Member to rise who might have felt it his duty to do so; but no one did rise. I spoke, therefore, under some disadvantage; and if I were to leave the House, and something were to be said, I should have no opportunity of making an explanation, and I am sure the House will think that that would not be quite fair to me.

Mr. O'DONNELL: Mr. Speaker, on the point of Order——

Sir STAFFORD NORTHCOTE: Will it be in Order, Sir, no one objecting, for someone to move that the right hon. Gentleman be permitted to remain ?

Mr. SPEAKER: If it is your pleasure that, under the special circumstances of the case, the right hon. Gentleman be allowed to remain, no doubt the House can so determine.

The pleasure of the House having been signified, Mr. Bright did not withdraw from the House.

Sir R. ASSHETON CROSS: Sir, I listened with very great attention to what fell from the right hon. Gentleman in the remarks which he has made; and I was in hopes, until the moment he sat down, that he would, at all events, have said something which the House would have accepted as apologizing for the charge which he made against a large number of the Members of this House, and I state this not in the interests of either one Party or the other, but in the interests of the House itself. I am quite sure that we must all feel that such an accusation as the right hon.

Gentleman made in that speech of his at Birmingham ought not to have been made unless there was absolute foundation for it, and that when it is quite clear that there was no foundation for such an accusation, it should, at all events, be withdrawn. I still hope, before this debate closes, that the right hon. Gentleman will see fit, out of deference to the House itself, to withdraw the charge, which, I am quite sure, he must himself feel he cannot now substantiate. The right hon. Gentleman has stated that he used a word which might be misinterpreted and used in two senses—the word "alliance"—but he must have known perfectly well when he used the word, from the manner in which it was received by his audience, in what sense they would interpret it. That was the whole reason of the speech, and that was the meaning which would be attached to it by those listening to it, and no one could be more conscious of it than the right hon. Gentleman himself. We have now had from the right hon. Gentleman this admission—that if that was the sense in which not only those persons obviously interpreted the word, but in which everyone and every newspaper in London interpreted the word, that was not the sense in which he intended to use it. I am not sure whether I clearly understood the right hon. Gentleman; but, at all events, I did not understand that it was accompanied by an apology for the charge he made—namely, that we, as a Party, or a large number of Members, were not simply doing our best to oppose legitimately those measures of Her Majesty's Government that we thought wrong, but that we were willing to lend ourselves to devices, plans, and schemes by which we might defeat the aim of the Government otherwise than by fair and legitimate argument. Now, I say fearlessly that at no period has the Conservative Party been Parties to anything of the kind. I say fearlessly that they have set themselves decidedly against any action of that character; and I defy any Member of this House to name any time, place, or circumstance in which the Conservative Party in this Parliament have allied themselves to obstructive measures at all. I am quite willing to take the definition of the Prime Minister himself that Obstruction means opposing the action of the Government otherwise than by means of fair argument. I think that was his own definition of it. We have more than once during the present Parliament received the thanks of the Prime Minister himself for the action we have taken. Not only have we received his thanks this Session so far as the Corrupt Practices Bill is concerned, but also last Session in regard to some of his Irish measures, although we were, as he knows, bitterly opposed to many of them. If the right hon. Gentleman will refer to any Bill which the Government have brought forward in the course of the present Session, except one, he will find, I believe, that one single night has been sufficient for the second reading of each. The right hon. Gentleman wished to quote an instance in which he says we had obstructed the Government. There was one instance in which we used the legitimate power of opposing a Bill of the Government; and if that is said to be Obstruction the word "Obstruction" has two senses, and the right hon. Gentleman uses it in one sense, and we must use it in the other. We did oppose the Affirmation Bill, and we used our legitimate power for defeating the Government; and if that be Obstruction the right hon. Gentleman is welcome to the example. We were right in opposing that Bill; and if that is brought forward as an instance of Obstruction, or of alliance, no one can know better than the right hon. Gentleman that the Bill was defeated because it was against the religious instincts of the vast majority of the people of England. It was defeated, no doubt, because all Members who sit on this side of the House voted against it; but that would not have defeated the Bill. It was defeated, not simply because the Irish Members also voted against it, but because many Liberal Members sitting above the Gangway in this House abstained from voting. If this be held up to the people of Birmingham as an instance of Obstruction by the Conservative Party, I think the right hon. Gentleman really ought to withdraw the expression that he has used. The only other instance which the right hon. Gentleman has condescended to give is that of Questions; and he complains of the great number of Questions that are principally put down on Mondays and Thursdays, which are Government nights. He forgets that, at the present moment, they are the only Evening Sittings that we now get. If the right hon. Gentleman goes before that, and means before the Morning Sittings took place, then I must refer him to the noble Lord the Under Secretary of State for Foreign Affairs (Lord Edmond Fitzmaurice), who came to me some time ago, and said—"I only wish every Question put to me was put down for Mondays and Thursdays. I am myself endeavouring," he said, "to do all I can in that direction, because it is so inconvenient for the Office if they are put down on any other night." If those really are the only instances which the right hon. Gentleman can produce, I think we may be very well satisfied with the results of this debate; but if such charges are made I must say, on behalf of the Party with which I have the honour of acting, that we have a right to demand that time, place, and Bill should be specified when opposition such as this was offered by the Conservative Party, and I defy any Member of the House to bring forward such an instance. Sir, I hope this debate may, at all events, end as quietly as it began. I have no wish to say one single word to injure the feelings of the right hon. Gentleman; but I sincerely hope that now, seeing the interpretation that has been placed on the words he used at Birmingham, he may be able to say that he is very sorry he made use of any words—[*Cries of* "No, no!"]—I think hon. Members might hear the end of the sentence—that he is very sorry that he used any words which were capable of two interpretations. [*Cries of* "No, no!"] The hon. Member for Scarborough (Mr. Caine) thinks that that is not the proper thing to do.

Mr. CAINE: I made no remark of any kind whatever.

Sir R. ASSHETON CROSS: Then I suppose I may consider the remark withdrawn.

Mr. CAINE: I cannot withdraw a remark I never made.

Sir R. ASSHETON CROSS: The right hon. Gentleman (Mr. John Bright) must feel that the words he spoke at Birmingham were not only capable of two interpretations, but that they were interpreted in the way that has now been shown. Therefore, he has now only to state that he is sorry he made use of any words towards any Party in the House, whether Conservative or Liberal, attributing to them proceedings contrary to the dignity of the House, and to the honour of the Party; and I believe my right hon. Friend will accept his assurance.

Mr. T. P. O'CONNOR said, he did not intend to enter into the family quarrels which might have taken place between different English political Parties in that House. It was a matter of indifference to those hon. Members with whom he acted what charges might be made by the Leaders of the two great Parties against each other. But if the Conservatives were sometimes accused of unscrupulous tactics against the Government now in power, it should be remembered that Liberals themselves used similar tactics when their opponents were in Office. The time had, perhaps, not yet come for writing the history of the Parliamentary strategy of the last five or six years; but it was as notorious a fact as any alluded to by the right hon. Member for Birmingham that during the last Parliament there was not an occasion when what were rightly or wrongly called obstructive tactics were practised against the Government by a certain section of Irish Members that they did not get the direct, and, still more, the indirect, support of the Liberal Party. Nor was he (Mr. T. P. O'Connor) concerned with that part of the right hon. Gentleman's speech in which he had alluded to the so-called alliance between the Conservative Party and Irish Members. Both the great political Parties at times evinced a strong anxiety to disavow anything like an alliance with the Irish Party. But, disastrous as they regarded such an alliance to themselves, Irish Members, on their side, were equally conscious that anything like alliance with the English Parties was regarded by their constituents with dislike and suspicion. Now, a word as to what the right hon. Gentleman had said with regard to Mr. John Blake Dillon; and he ventured to say that the sentiments and views which the right hon. Gentleman had attributed to Mr. Dillon never existed in that Gentleman's mind, and that he never could have given expression to anything of the kind. From what he had read and knew of Mr. Dillon's family—and their career was well known and thoroughly familiar to Irishmen—he was satisfied that never at any moment did he express the conviction that the welfare of Ireland would be secured by a permanent alliance with the Liberal Party. He desired to be more courteous to the right hon. Gentleman than he had been to his (Mr. T. P. O'Connor's) Party; and, therefore, he said that he had not the least doubt that the right hon. Gentleman had unintentionally mis-stated the views of Mr. Dillon, as he had done those of the Irish people. The Irish people had learnt this, if they had learnt nothing else, since the time of which the right hon. Gentleman had spoken—that the English Liberal Party, which once posed as their traditional friend, was now their enemy. The first time he had ever heard the right hon. Gentleman the Member for Birmingham was in the City of Limerick, when he was much impressed, and even moved, by the right hon. Gentleman's eloquence. The right hon. Gentleman was the first English orator he had ever heard; and, listening to his eloquence, he felt much inclined to change his malevolent views of English politicians in general. On looking at a volume of the right hon. Gentleman's speeches, he found he stated on that occasion that—

> "An Act which the Parliament of the United Kingdom had passed the Parliament of the United Kingdom can repeal."

What did the right hon. Gentleman mean by those words, addressed to an audience of Limerick men? It was possible to put but one interpretation upon them. Then the right hon. Gentleman went on to say further that—

> "He was willing to admit that any nation had a right to ask for and strive for national independence."

If he himself were to use such words in Ireland now he should recommend himself to the attentions of a Liberal Viceroy; and if he had used such words in Chicago or Philadelphia the right hon. Gentleman would have come down to the House and denounced him as a rebel. If he were to take the trouble, or had the time, he could find in other speeches of the right hon. Gentleman many passages which, if used by him, would be described as incitements to the assassination of a large section of the Irish people. What did they suppose would be the consequences to him under the Crimes Act if, for instance, he was to say to-day in Ireland that if it had not been for the interference of the English Parliament the Land Question would have been settled long ago, and the landlords would have been exterminated? Within two weeks he should have made the acquaintance of Green Street Court; and if his hon. Friend (Mr. O'Brien) were to have printed such a passage in *United Ireland*, within three weeks he would find himself imprisoned for seditious libel. And yet this converted rebel who had used such words was the Gentleman who came down to the House to teach them what were their duties to the Crown and Constitution. The right hon. Gentleman asked them to give a pledge of loyalty to the Crown; but he thought that a pledge of loyalty to the Crown was more necessary from some Members sitting on the Treasury Bench at the present moment. No Englishman had done more than the right hon. Gentleman to encourage the Irish people to look for assistance to the Irish in America. He had surrounded the kindred alliance with more of the magic of eloquence and poetry than any other man. Some of the most beautiful and touching passages of the right hon. Gentleman's speech had been passages in which he described the indestructible love that existed between the Irish at home and the Irish in America. Now, however, the right hon. Gentleman denied what he once lauded, and reviled what he once praised—an alliance between the Irish at home and the Irish abroad. What the right hon. Gentleman had dwelt on most strongly in his speech was the fact that the funds for use in Ireland were obtained from America; so that he was now reviling that which in his earlier and better years he applauded. Then the right hon. Gentleman asked what were the aims and purposes of the Irish in America. They could be best judged by their acts; but he would say, with regard to the Philadelphia Convention, that it was, in every sense of the word, a Parnellite Convention for the purpose of giving loyal support to his hon. Friend the Member for the City of Cork in the Constitutional agitation he had adopted. Neither in that House nor out of it, nor in the country, had his hon. Friend used other than Constitutional means. Two or three times the right hon. Gentleman had honoured himself with his abuse; but he would say this—and he trusted the House would not distrust his personal assurance—that never on any platform in America—and he spoke on 120 platforms—did he use words that he would not use in that House, or that were incompatible with Constitutional agitation. This he did because he made up his mind before he went to America that he would say nothing which he was not justified in saying; and he did this because his friends in America would have contemned and despised him if he had endeavoured to flatter their prejudices by unconstitutional speeches. But the right hon. Gentleman seemed to have changed the love he once had for Ireland into an implacable and malevolent hatred; and he was now employing all his great talents to malign the Irish Leaders and misinterpret their purpose. The Irish cause, however, would go on in spite of the right hon. Gentleman. But the Irish people saw with surprise that a rather mean and rather vain old age had succeeded to a manhood of vigour and justice. [*Loud and continued cries of* "Oh!" *and* "Divide!" *from the Ministerial Benches.*]

Mr. CALLAN: I rise to Order. I suggest that the names of the hon. Members who are interrupting the hon. Member for Galway should be taken down.

Mr. T. P. O'CONNOR said, he did not wish to deny the part which the right hon. Gentleman the Member for Birmingham had taken in the political life of this country; but he believed it would be one of the bitterest and saddest reflections of his old age that, in spite of his impotent attacks, the Irish cause, against which he was misusing his last years, would be eventually triumphant.

Mr. GLADSTONE: I have heard, Sir, with very great regret, some of the expressions used in the speech of the hon. Gentleman who has just sat down. I must say that I do not entertain the regret in the interest or on behalf of my right hon. Friend the Member for Birmingham. I am not here, I think, to enter, upon an occasion like this, into the polemical part of the debate. I refrained from asking to address the House until I had heard someone who might be entitled to speak on behalf of the portion of Irish Members who had been glanced at, or were supposed to be glanced, at by my right hon. Friend.

Mr. T. P. O'Connor

The hon. Member who has just spoken, on behalf, I presume, of himself and his Friends, has made no complaint of the words used by my right hon. Friend; but simply contented himself by bringing a number of charges against my right hon. Friend, in respect to which I think my right hon. Friend may rest perfectly tranquil in the knowledge of the judgment that will be passed upon them by the nation.

Mr. T. P. O'CONNOR: I rise to Order. What is the Question before the House? [*Cries of* "Order!"]

Mr. GLADSTONE: The reason why I refer to the matter is because it is to be recollected—though anyone who heard the speech of the hon. Member would not have believed it—that we are engaged in discussing the question, not whether my right hon. Friend has been right or wrong, but whether certain language used by him was a breach of Privilege. That question the hon. Gentleman who has just sat down did not condescend to notice; but it is to that question I wish to call the attention of the House. I think that the right hon. Gentleman who introduced this subject, with a moderation of tone that has been generally and fairly acknowledged, must feel that there is a great inconvenience —though I will not say that he is to blame for it—in our having placed before the House as a breach of Privilege a lengthened passage involving very various matters, with regard to which it cannot be intended to assert that the whole passage is a breach of Privilege; and it is not very obvious which part it is intended to designate as a breach of Privilege. There are two parts of this passage that are clearly distinguishable; and my right hon. Friend the Member for Birmingham has, in his most candid speech, fairly and clearly distinguished them. I draw the broadest line between them, because it appears to me they are entirely distinct. The words in which my right hon. Friend referred to the conduct of certain Irish Members were not dwelt upon in the slightest degree by the right hon. Gentleman who made the Motion, or by the late Home Secretary (Sir R. Assheton Cross). Perhaps they conceive that it is for each section of the House to defend what it thinks fit, and to notice or not to notice what it thinks fit; but they have simply taken up what they consider to be a serious charge against the Conservative Party. With regard, then, to certain Representatives of certain Irish constituencies, I would only remind the House that my right hon. Friend has certainly adhered to this proposition—that the whole circumstances of the case—what has been said and what has not been said taken together—do raise such inferences or such presumptions that he is entitled to say to those Irish Members — "Will you declare your loyalty to the Crown and your dissociation from the enemies of the Crown in America?"

Lord RANDOLPH CHURCHILL: I rise to Order, Sir. I wish to know whether it is in Order for any Member of this House, no matter what may be his position, to call upon any other Member of the House to declare his loyalty to the Queen?

Mr. SPEAKER: The question of the right hon. Gentleman was addressed to the House. He has not made any observation that is irregular.

Mr. MARUM: May I ask a question on a point of Order?

Mr. SPEAKER: The right hon. Gentleman is in possession of the House. If the hon. Member rises to a point of Order he may do so.

Mr. MARUM: Is it in Order of debate that the Prime Minister should assume that no one would speak from these Benches when they have not got the opportunity of speaking?

Mr. GLADSTONE: I have simply, Sir, been reciting—not adopting as my own—certain words, or the effect of certain words, used by my right hon. Friend—a request from my right hon. Friend, under all the circumstances, that those Gentlemen would enable him to state, and that he would then state, in terms as strong as he could use, an expression of regret that he should have suspected their loyalty. All I wish to say is this—that, under these circumstances—nay, taking into view the circumstances of this debate, and remembering this circumstance, that when the right hon. Member for Birmingham spoke of loyalty, one or more Members in that quarter of the House said—"Yes; loyalty to Ireland." I wish simply, Sir, directing myself to a practical purpose, to say that I do not propose, under the existing circumstances, to take any further notice of that portion of the passage which refers to Irish Members; but I leave it exactly as it stands, with the invitation of my right hon. Friend, and with the frank offer which my right hon. Friend has made contingent on the acceptance of that invitation. Then I come to the question as it has been raised. I have listened to the speech of the right hon. Gentleman the late Home Secretary (Sir R. Assheton Cross). I perfectly understand his anxiety to rebut a charge which he says was made; and, for my part, I am not going either to rebut or to support any charge at all. The question is strictly, whether certain words of my right hon. Friend amount to a breach of Privilege of this House? But the charge, as well as I could recollect it, was this—

> "That we were, as a Party, not simply legitimately opposing the Government, but were willing to lend ourselves to devices by which we might defeat the Government."

Something to that effect was the charge which the right hon. Gentleman protested against, and far be it from me to blame him for so protesting; he is entitled to do it. But does he seriously think such a charge, in the words in which he himself recited it, amounts to a breach of the Privileges of this House? I do not think that the charge of illegitimate methods of opposition is a question of breach of Privilege. It is exceedingly desirable that we should discuss this question in the temper with which I admit the two right hon. Gentlemen opposite discussed it, because a Motion of this kind is a Motion to lay down a limit to liberty of speech. [An hon. Member: The *clôture.*] There is one word in the speech of my right hon. Friend with regard to which I do not think it is a breach of the Privilege of this House, but the recital of a melancholy truth. It is where, at the beginning of his speech, my right hon. Friend says that—

> "A portion of its Members seem to me to be abandoning the character and conduct of gentlemen as heretofore seen in the assembly of the Commons."

However, I pass on, and look at the contention of the right hon. Gentleman opposite; and I ask myself, Does this amount to a breach of the Privileges of this House? The right hon. Baronet, most discreetly, as I think, adopted the principle that, for the convenience of the House, in no cases excepting extreme cases, ought language used outside of the

House to be brought into discussion in the House. Those who heard the citation from the speech of the noble Lord the Member for Woodstock (Lord Randolph Churchill), and which the noble Lord does not deny—probably he thinks he did great service to the country——

LORD RANDOLPH CHURCHILL: I do not admit the accuracy of the report.

MR. GLADSTONE: Of course, it is in the pleasure of the noble Lord to do one thing or another—to deny it or affirm it; but the effect of what he said was that the Government were a set of impostors.

LORD RANDOLPH CHURCHILL: I said a set of political impostors.

MR. GLADSTONE: That would be a phrase which I rather think would not be allowed to be used in the debates of this House. Well, I think the late Home Secretary, not very long ago, expressed his contempt for the conduct of the Government in regard to one of the political questions which they had in hand. The right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther) undoubtedly used language in respect to the resignation of my right hon. Friend the Member for Bradford (Mr. W. E. Forster) which went beyond the bounds of anything I have ever known in its licence and its odious character.

MR. J. LOWTHER: Which I repeated in this House.

MR. GLADSTONE: I am not prepared to admit that the words were repeated in this House. They were not repeated in this House according to me. Of course, the question can be raised if the right hon. Gentleman likes.

MR. J. LOWTHER: Will the right hon. Gentleman give me the reference?

MR. GLADSTONE: The right hon. Gentleman will have no difficulty about the reference, because a certain portion he did himself refer to and repeat in the House. They were words to this effect—that we had dishonourably plotted against my right hon. Friend and turned him out of the Cabinet. I will ask the House whether anything of that kind has been stated by my right hon. Friend the Member for Birmingham? I take no credit for it; but we have acted ourselves upon the principle that is adopted by the right hon. Baronet the Member for North Devon—namely, that except in extreme cases language spoken outside ought not to be brought before the House; and, at any rate, in one extreme case we have waived bringing it before the House. Now, is this an extreme case of charge made? In the first place, against whom is it made? The right hon. Gentleman said it was made against the Conservative Party; but my right hon. Friend says "against not a few of its Members." That is, again, a limitation as far as it goes. What is the charge made? My right hon. Friend said at Birmingham that these Gentlemen have not submitted to the verdict of the majority of the constituencies. And the right hon. Baronet opposite says that is a complaint on his part that they do not accept all the Bills of the Government. But, suppose that were the meaning of my right hon. Friend, is that a breach of the Privileges of this House? If he goes to Birmingham and complains, or if I go and complain, that the Opposition have not given their assent to all our Bills, that may be an extravagant or absurd opinion to express, but he who expresses it does not commit any breach of the Privileges of this House. And if it be true that my right hon. Friend stated that, in his opinion, some portion of the Conservative Party had resorted to methods connected with the consumption of time, or any indirect method of slackening the progress of Public Business, was that language amounting to a breach of Privilege? I have nothing now to do with the justice or the injustice of any opinion. If I entered into that question I should have to traverse a very wide field of debate; and, consequently, I look upon everything that has been said in no light except this—Does it amount to a breach of the Privileges of this House? Does it imply an insult to character? Does it imply dishonourable conduct? [An hon. MEMBER: Yes; alliance with rebels.] No objection is taken to the charge that it is an alliance with those Members. But to say, whether justly or unjustly, truly or untruly, that some portion of a Party has adopted indirect methods of opposition other than those of fair argument, partaking of the nature of a resort to unnecessary discussion, is no breach of the Privileges of this House. Now I come to the question of an alliance. I must say I recollect the manner in which the words

"Kilmainham Treaty" have been used during the last 12 months; and I am, therefore, a little surprised at what I think is the exaggerated importance attached to the use of the phrase of my right hon. Friend. An alliance, at any rate, is not so bad as a Treaty. I do not hesitate to say that what was conveyed under the phrase "Kilmainham Treaty" was so bad, so disgraceful, so dishonourable to every man concerned, personally as well as politically, that had it been true the hon. Member for Hertford (Mr. A. J. Balfour) would have been justified in using the phrase he applied to it—namely, that it was an act of infamy. But this mode of handling the question comes from hon. Gentlemen opposite. Have hon. Gentlemen considered what that charge involved? The Legislature had placed in the hands of the Government, I may say, the awful power of imprisoning at their sole will their fellow-citizens if we believed them to be parties to or inciters of measures hostile to the public peace; and the meaning of the phrase "Kilmainham Treaty" was this—that we had made use of that power to traffic with the hon. Member for the City of Cork (Mr. Parnell) for political advantages to ourselves and our Party. [*Opposition cheers.*] That is the charge that is made by the Gentlemen who cheer me. But these are the very Gentlemen who cannot bear to be told that a certain number —not a few—of them are given occasionally to dabble in a little measure of Obstruction, although they do not scruple to charge upon us—probably there is not a man opposite who has not made the charge—that which is politically and personally dishonourable and base in the last degree. So much for this Kilmainham Treaty. Now as to the question of alliance. I own I do not recollect an important case in which it has happened that Gentlemen of different Parties have voted together when that union, however casual, has not been described by those who objected to it as an alliance or combination. It is not an assertion that there has been a document signed and sealed. It is a mode of describing that concurrent action; and what I state is that habitually, and without offence, it has been adopted by persons of the greatest influence and of the greatest authority. Now, I will quote one instance where the word alliance does not occur; but the worse phrase does. The speaker was Lord Palmerston, and he was a speaker who employed measured language, and was well acquainted with the just limits of Parliamentary debate. The case was one in which either the right hon. Gentleman himself (Sir Stafford Northcote), or, at any rate, my noble Friend the late Postmaster General (Lord John Manners), whose absence we all regret, was concerned. It was in the China debate of 1857. In that debate a number of persons, not acting in political concert, joined to give effect, by their vote, to their conscientious opinions, exactly as the right hon. Gentleman and his Party have repeatedly given effect to their conscientious opinions, by walking into the same Lobby as the hon. Member for the City of Cork (Mr. Parnell). On that occasion Lord Palmerston first declared that a combination had been formed against him. The reference is 3 *Hansard,* vol. 144, p. 1831. That combination consisted of my right hon. Friend—[Mr. JOHN BRIGHT: I was not here.] I beg my right hon. Friend's pardon. My right hon. Friend will not be surprised that I presumed him to be where Mr. Cobden was. There were Mr. Cobden and his Friends, Sir James Graham, Mr. Sidney Herbert, and others who were then called Peelites; there was Lord John Russell, acting in a completely separate and independent situation from the Government of the day; and Mr. Disraeli, acting with the general mass of the Tory Party. All these were voting together when Lord Palmerston declared that a combination had been formed. Lord Palmerston said that this combination, fearing to put forward their objects in the face of day, and having concluded a secret treaty guaranteeing to each other the state of possession which they hope to obtain by coming into Office together, have done so and so. Then he says the question they put forward is—Will you have the existing Government, or the Coalition Government we have prepared for you? So that Lord Palmerston did not scruple to say in debate—[*Opposition cries of* "In debate!"] But that does not make it less a breach of Privilege. I apprehend that what is breach of Privilege out of the House is a breach of Privilege in the House. The right hon. Gentleman has complained of some

Members of his Party being charged with having formed an alliance; and yet Lord Palmerston, on the simple approach of a single vote which he expected would be given in common, declared that a combination had been formed and that a private treaty had been made. He declared that the object of this treaty was the formation of a new Government, and that in this new coalition among the Parties who were then going to vote together, arrangements had been made for the government of the country. That was done on the floor of this House. It was done by the Prime Minister of the day, and it was done by a man with an experience of half-a-century in Parliament. We who were the objects of that charge sat there with perfect patience and satisfaction. We never dreamt that there was a breach of the Privileges of the House. There was not even a breach of our composure. We certainly gave our votes against Lord Palmerston, but made no complaints whatever of the language he had adopted. The allusion of my right hon. Friend with respect to this question of alliance I should have thought had been a successful one. He distinctly stated that he spoke of concurrent action, and did not speak of anything in the nature of a treaty or arrangement; and with regard to his use of the term, I have shown that a similar, but much stronger, phrase has been habitual in Parliament without any intention of imputing what was offensive. Certainly, Lord Palmerston had no intention of imputing dishonourable conduct to Lord John Russell; and I cannot but think that the right hon. Gentleman will see there is no ground for the assertion in this House that there has been breach of its Privileges. My right hon. Friend, I am sure, has had every desire to meet the views of hon. Gentlemen by frankly stating, as he has done, that there has been no arrangement, nothing in the nature of a compact between the Party of the right hon. Baronet and the hon. Member for the City of Cork. What more can be desired? Is it possible to have more? Having regard to the common usages of this House, whatever be the justice or the truth of the opinions which we might entertain, or the opinions entertained opposite, in respect to the modes or measures, or quantities of opposition—I do not at all recede from what has been cited out of my own mouth by the right hon. Gentleman the late Home Secretary—I hold it would be a serious mistake on the part of the House of Commons to treat such matters as a breach of Privilege, because, by so doing, they would be narrowing the just liberty of debate, which, of all Privileges belonging to the Members of this House, is the one most vital to its efficiency and its power.

Mr. GIBSON: Sir, I am glad that, for the first time openly in the face of Parliament since that charge of Obstruction has been made, the person who has put that charge forward as plainly as the English language could do has not stood by it, and that the Prime Minister, speaking on behalf of his late Colleague, has not used words suggesting the existence on this side of veiled or any other form of Obstruction. I do hope, before the debate closes, another Gentleman sitting on the Front Bench, not only a late Colleague of the right hon. Gentleman, but a Colleague also in the representation of Birmingham, will come forward and say what he meant himself on a recent occasion. If he does so I think the House and the country will be grateful to him. I think the view taken, both in this House and in the country, as to the recent proceedings at Birmingham, is that they might be permitted to draw to a conclusion amid the enthusiasm of the Friends of the right hon. Gentleman, and without want of sympathy from his political opponents. As long as possible those opponents regarded those proceedings with no want of kindly feeling. They recognized the illustrious career of the right hon. Gentleman, and the Marquess of Salisbury took the opportunity to pay the right hon. Gentleman a high tribute. Therefore, it was to be regretted that the right hon. Gentleman was not influenced by feelings of magnanimity and generosity, and did not allow the week to close without making against his political opponents unworthy, groundless, and baseless charges. This debate has lasted an hour; if it has not yet closed, it is not the fault of my right hon. Friend, who opened it briefly and in a temperate manner, commendable for moderation and forbearance. How has he been met? If, in a few plain, manly words, the right hon. Gentleman had acknowledged and explained the passage objected to, the position would have been different; or, again, it might equally have been so if, in a few plain and simple words, which he is such a thorough master of, he had stated what he meant, and what he did not mean. If he had done that, instead of going into an elaborate reiteration of suggestions of the same charges in different words, this debate would have closed with the approval of everyone in the House; and none would have been better pleased than we should have been with a fair and generous explanation. The right hon. Gentleman has not met us by apology, by withdrawal, by explanation, nor yet by frank and manly insistance. He was invited more than once to use some word of frank and candid withdrawal. ["No, no!"] The suggestion was at once met with cries and exclamations which indicated that the right hon. Gentleman was not to withdraw; he was not to apologize; he was not to explain, but he was to repeat in this House, with a slight variation of language, charges of a gross, serious, and unworthy character against his long-established political opponents. Has the right hon. Gentleman met the charge by saying—"I did use the words, and I stand by them?" Nothing of the kind. Has he met it by saying—"I regret the use of the word which you think most serious of all, and I withdraw it unequivocally?" Nothing of the kind. He has met the charge by a laboured and general criticism and discussion of the procedure of the House, beginning with Question time, and ending with the Affirmation Bill. I hope it will be understood that the right hon. Gentleman, having been challenged by letter and by speech, has not given one single instance, one solitary case, to justify, in the face of Parliament and the country, the grave charges which he has made recklessly, and without a shred of foundation, in Birmingham. It is all very well for the Prime Minister to try to throw a shield over his late Colleague. The Prime Minister is a master of language, of resource—shall I say of special pleading?—gifted with enormous tact in developing a technical defence; and how has he presented the case? What his late Colleague said at Birmingham, read by the light of his reiteration here, was that a substantial portion of the Conservative Party had been guilty of a course of conduct which amounted to Obstruction; that they had deliberately applied themselves to defeat the will of the majority of the constituencies; and, worse than that—and this is the sting of it—that they have joined themselves in alliance with the Irish rebel Party for this purpose. It is impossible to take one part of this charge and withdraw the others; you must take the whole. He was accusing the Conservative Party of having abandoned the character and conduct of Gentlemen in resorting to wilful Obstruction in alliance with the Irish rebel Party. That being the charge made, and in substance adhered to, with the substitution of two words for alliance, when the House had the right to a plain and unequivocal apology or withdrawal, the Prime Minister—a master of the art of minimizing charges—simply glanced at this serious charge, and put it aside with a passing reference. The right hon. Member did not withdraw the word "alliance;" but he substituted "combined action." But, read with the context, what difference do they make? The only combined action he is able to refer to in support of the charge is that the Conservative Party and Members of the Irish Party below the Gangway were found in the same Lobby in the Division on the Affirmation Bill. Am I not entitled to say that a charge more groundless, baseless, and utterly unworthy never was made by a Member of a great Party against another great Party behind their backs? Was not the epithet "Irish rebel Party" used to cast special stigma upon the Conservative Party? Was not the object of the right hon. Gentleman to damage the Conservative Party by associating them with a Party the least popular in England? It is impossible to pass over as a nullity this reference to the Irish rebel Party. It must be connected with the rest of the charge deliberately brought against those who sit on these Benches. I would not fetter freedom of speech to the extent of one syllable any more than the right hon. Member for Birmingham; but we are not now questioning freedom of speech; we are questioning the right to attack a large Party in this House without justification, without courage, and in contempt of the rights and Privileges of this House. How has the remonstrance been met? The House has been advised to vote that this is not contempt of the House of Commons. I trust it will do so, unless we get some further information from the right hon. Gentleman the Member for Birmingham or from a Member of the Government. There is no alternative that I can see open to the House, and those whose conduct has been impugned, except to go a Division. I should myself be most gratified, even now, if the right hon. Gentleman would rise up, and, in some frank and candid, some worthy and generous language, say that he did not mean any injurious reflection, and would spare the House from the painful and disagreeable duty of coming to a vote with regard to one who has so long been an honoured Member of this House.

Mr. O'CONNOR POWER said, the subject was one which lent itself readily to vehement declamation; but he intended to discuss it with coolness, and, if possible, with equanimity. One precedent, and only one, was quoted by the right hon. Baronet the Leader of the Opposition. Mr. Lopes, now Mr. Justice Lopes, described the Irish Party as "a disreputable Irish band." Such a charge was far worse than calling them "rebels," for anyone acquainted with Irish history would understand that that term implied only political disgrace, while the term "disreputable" might have a far wider application; and yet the Prime Minister of that day had advised that no notice should be taken of it. The phrase "disreputable Irish band" was not one that could, like the phrase of the right hon. Gentleman the Member for Birmingham, be termed a rhetorical exaggeration. He did not mean that the charge of "rebel" was not one that should be promptly repudiated by those to whom it referred; and he was glad that the right hon. Gentleman had intimated by his tone and manner that he had employed a rhetorical exaggeration. A more important question than the language of the right hon. Gentleman was the attitude of both sections of the Opposition to the proposals of the Government. He had at times been as active as anybody in opposing Government proposals, and he was not going to haul down his flag; but he was bound to express his opinion that the people of Ireland, as well as the people of England, had lost a great deal by the Obstruction of Public Business that had taken place during the present and recent Sessions; and, being swayed by that conviction, he had declined to take any part in that policy of Obstruction. Non-contentious measures had been fought at every stage with as much vigour and determination as if they had raised again the old quarrels between Parties and classes that had divided the political organizations of the country. He felt disappointed that the right hon. Gentleman had been betrayed, by the excitement of a great public demonstration, into the use of the language which had been quoted; and he felt sure that on reconsideration the right hon. Gentleman would regret that he had described any Members of the House as occupying a political position which was opposed to the Constitution and laws of the country. But he looked upon the words as an exaggeration, and attached no serious importance to them; and, remembering the great services which the right hon. Gentleman had for many years rendered to Ireland, he felt that if that exaggeration had been multiplied a thousandfold Ireland would still be his debtor. Entertaining these sentiments, he should certainly not support the Motion of the Leader of the Opposition. He thought the explanation and tone of the right hon. Gentleman was a sufficient guarantee that he had no intention whatever to be guilty of any disrespect to the House, or any breach of its Privileges, and that after that explanation the subject might be allowed to drop.

Mr. JUSTIN M'CARTHY said, he was not at first inclined to think that Irish Members would do well to take any notice of the speech of the right hon. Gentleman. He did not admit the right of the right hon. Gentleman, or of any man, however eminent, to charge them with being disloyal, and then to say that if they would get up in that House and declare that they were not disloyal he would withdraw the charge. The right hon. Gentleman, by calling them rebels, practically charged them with being perjurers, for he knew they had taken the Oath of Allegiance; and, apparently, he would not give their Oaths as much belief as he would do the Affirmation of an Atheist. What, then, was the meaning of asking them to get up in that House and declare that they were not rebels and were not perjurers? It reminded him of Dr. Newman's famous retort on Mr. Kingsley, when Mr. Kingsley offered to take his word and withdraw a charge of falsehood—"Take my word!—the word of a professor of lying—that he does not lie." He was not going to quarrel with any of the observations of his hon. Friend the Member for Mayo (Mr. O'Connor Power) as to the obstruction of this, that, or the other Party; but he might be allowed to remark that his hon. Friend's connection with what was called Obstruction ceased when Members of the Liberal Party ceased to assist Irish Members in that so-called Obstruction. The right hon. Gentleman the Member for Birmingham called them rebels for holding the same opinions as he held and sustained in the House and out of it until he became a Member of a Liberal Cabinet; and so the obstruction of his hon. Friend somewhat abated when the Liberal Party came into Office. If the right hon. Gentleman the Member for North Devon pressed his Motion to a Division he should certainly vote with him, regretting that time had been occupied in the dispute at all, and being of opinion that the right hon. Gentleman the Member for Birmingham should have been allowed to stigmatize and brand any Party in the House, great or small, with any epithets he pleased, unchecked and unrebuked.

Mr. MARUM said, the Prime Minister had actually assumed the truth of the imputation thrown on the Irish Party. He (Mr. Marum) regretted exceedingly that the right hon. Gentleman the late Chancellor of the Duchy of Lancaster, in view of his high position and the debt of gratitude that Ireland owed to him, should have made use of the language he did. He had charged the Irish Party with being a rebel Party. That was a very serious charge, and, as a Member of the Party, he felt bound to repel the imputation. As an organization inside the House it had no connection with organizations outside the House. He had held the Commission of the Peace in two counties now for some years; and it would, therefore, be most inconsistent on his part to be a Member of a rebel Party. As to their alliance with the Conservative Party, he was proud of the occasion when they took together the part of Christianity; and he was glad to see that there was an alliance between Catholicism and Conservatism. The right hon. Gentleman the Prime Minister had alluded to the Oath of Allegiance; but was he not himself a prominent supporter of Mr. Bradlaugh, who declined to take the Oath of Allegiance? And, if he might be allowed to say so, he had supported a rebel to his God, if not to his country.

Mr. SPEAKER: I must remind the hon. Gentleman that he is not speaking to the Question before the House.

Mr. MARUM said, the right hon. Member had made a serious imputation on the honour of Gentlemen, and he only wished indignantly to repel it.

Mr. O'DONNELL said, he thought the Irish Party could afford to treat the imputation of the two English Parties with contempt. The sting of the observations of the right hon. Gentleman the Member for Birmingham consisted in his saying that there was an Irish rebel Party of perjurers in the House. The Prime Minister had laid down the doctrine that when a body of Members in the House were grossly and wantonly insulted, the onus of defence was upon the insulted Members, and that was the position assumed by the Leader of the House towards the Irish Party, and he asked his countrymen in Ireland and the United States to regard that position. There could be no doubt that the right hon. Member had intended to brand the Irish Members with the grossest charge at the disposal of his vituperative capacity. The right hon. Gentleman the Leader of the Conservative Party, in dealing with the matter, although the whole stigma of the charge was in the insult offered to the Irish Members, passed over the subject, and fixed upon the innocent word "alliance" as the only matter which touched his susceptibilities. There was no atom or shade of difference in moral responsibility between those three Gentlemen, and as a specimen of a statesman he could commend any one of the three to his countrymen in Ireland and America. He denied that the Irish people in America were the enemies of England except in so far as England was the enemy of Ireland. With every movement for popular liberty and progress in England, as well as in Ireland, the Irish people in America were prepared to sympathize, and from the day that English misgovernment in Ireland ceased he was certain that there would be no more friendly and no more well-disposd section of the population of the United States than they would be. The insults of the right hon. Member for Birmingham deserved nothing but contempt from the Irish Party, and the position taken up both by the Leader of the House and the Leader of the Opposition, in their deliberate adoption of these insults, was simply worthy of the same contempt at Irish hands which was the due of the original insulter. He trusted that it would not be considered anywhere, except in this House, consonant with the character of an hon. Member to reply to dishonourable insults, wantonly made, utterly unprovoked, and only made because the insulter was a Member of the dominant nation, and could command the cowardly sympathies of a majority of his kind.

Mr. CALLAN said, he had been unable to discover which was the less creditable—the conduct of the Prime Minister, in endorsing the charge of disloyalty and breach of the Oath of Allegiance against the Irish Members, or that of the right hon. Gentleman the Member for Birmingham in the characteristic way in which he had endeavoured to get out of the difficulty. It had hitherto been the practice in that House that when a Member made a charge against another Member, and was challenged with respect to it, he rose and either withdrew the charge or proved that it was true. But the right hon. Gentleman the Member for Birmingham had the instincts of race, and had done neither the one thing nor the other. He was thus left in a very discreditable position. There was an old story told—it might be of an ancestor of the right hon. Gentleman the Member for Birmingham—of a man who was displeased with his dog because the animal was not obedient to his orders; and, perhaps, the right hon. Gentleman was displeased with the Irish Members because they had not been obedient to his orders. "I will neither beat thee, nor will I kill thee," said the man to his dog, "But I will give thee a bad name—halloo, mad dog!" and the dog was killed by the crowd. "Now," said the right hon. Gentleman the Member for Birmingham of the Irish Members, "I will give you a bad name; you are rebels who have broken the Oath of Allegiance by associating with the enemies of England," and the Prime Minister had joined in hallooing "mad dog!" For they ought to bear in mind that, as far as the Prime Minister could do so, he had endorsed the charge that there was a rebel Party in the House who had broken the Oath of Allegiance by association with the enemies of England, and that was nothing less than a charge of perjury, because the Irish Members had taken the Oath. The Irish Members regarded that charge as a very serious one, for they did not view the Oath in the same light as a certain *protégé* of the Prime Minister—as containing simply meaningless words—but they attached great sanctity to it. The attitude assumed by the Premier in this matter was one that tended to lower the morality of the House, and to put Irish Members on their mettle. It also showed them the little justice they had to expect from the present Government.

Question put.

The House *divided* :— Ayes 117; Noes 151: Majority 34.—(Div. List, No. 139.)

ORDERS OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 15th June.*]

[FIFTH NIGHT.]

Order read, for resuming Adjourned Debate on appointment of day for going into Committee, proposed [15th June], "That this House will, upon Monday next, again resolve itself into the said Committee."

Question again proposed.

Debate *resumed*.

Mr. CHAPLIN said, he rose to renew the protest he had made on Friday last against precedence being given to the Corrupt Practices Bill over the Agricultural Holdings Bill. He had on that occasion pointed out that it had been originally the intention of Her Majesty's Government to proceed with the Agricultural Holdings Bill as speedily as possible. It had, however, afterwards transpired that the Government had entirely changed their views in this respect, and that it was no longer the desire of Ministers to press forward that

Bill. On Thursday last he put a Question to the Prime Minister with the object of ascertaining whether it was true that Her Majesty's Government had really changed their views upon the matter. On that occasion the Prime Minister gave a sort of general intimation that the Government had again changed their minds upon this question, and that they were then determined that the Agricultural Holdings Bill should have precedence over the Corrupt Practices Bill. That was the impression which the language of the right hon. Gentleman gave, not only in that House, but out-of-doors; and, in fact, the chief organ of the Government the next morning stated that the Government had made up their minds to proceed at once with the Agricultural Holdings Bill. Then had come the announcement which was made on Friday last, when the right hon. Gentleman stated that he had ascertained that the evident sense of the House was that the Corrupt Practices Bill should be disposed of before the Agricultural Holdings Bill was proceeded with. The hopes of those who desired that the latter measure should pass this Session thereupon fell 90 per cent. For his own part, he could not understand what had induced the right hon. Gentleman to depart from the understanding on Thursday last, because the cheers from both sides of the House that greeted his announcement on that occasion afforded a sufficient indication as to what the real sense of the House was with reference to this matter. He could not understand how it was that the right hon. Gentleman had arrived at what was the evident sense of the House on this question. He blamed Her Majesty's Government very much for this change in their programme, which was certainly very unfortunate; but, at the same time, he could not altogether exonerate right hon. and hon. Gentlemen who sat on the Front Opposition Bench from their share of the blame. It was evident to all on Thursday night that the Government were wavering on the point, and if the right n. Gentleman the Member for North onshire had made an energetic pro- against precedence being given to orrupt Practices Bill it would have d the question. The right hon. tleman, however, had most unfortutely not taken that course. There were many reasons why the Agricultural Holdings Bill should be taken first. It was a measure of enormous interest to Members of the other House, and it was only a short time since the Leader of that House had impressed upon the Government the importance of its being passed through the House of Commons and sent up to the House of Lords before the Corrupt Practices Bill was proceeded with. There were good grounds for urging that the former Bill should be sent up to the House of Lords at a period of the Session when their Lordships would have ample time to consider its provisions. There was also a general desire on the part of hon. Members on both sides of the House of Commons that the Bill should be passed, and no serious opposition to it was threatened from any quarter. On the other hand, the Corrupt Practices Bill was threatened with most serious and bitter opposition; and if the Agricultural Holdings Bill were not to be proceeded with until it had been passed through that House, the latter measure would be placed in a position of great danger. Unless the Government held out some fair and reasonable hope with reference to the Agricultural Holdings Bill he should certainly take a division on the present Motion for resuming the consideration of the Corrupt Practices Bill in Committee.

MR. GLADSTONE: Sir, I do not wish to waste public time further by going in detail into the proceedings which have taken place with regard to these two Bills, because, if I were to take that course, I should merely be delaying the consideration of both the Bills to which the hon. Member refers. In accordance with the pledge which I gave the other day, Her Majesty's Government have taken measures to ascertain what was the general feeling with regard to the precedence which should be given to these two Bills, and having ascertained what that general feeling is, they have determined upon their own responsibility to persevere in the line of action which I indicated on Friday last, because they believed that by doing so they will best meet the judgment of the House. The Government is responsible for the exercise of its discretion in the management of its Business, but it is very unusual for that discretion to be questioned. The House gives the Government power to arrange the order in which not all Bills, but their own Bills, shall be taken, and the Government have arranged to take certain of their Bills in a certain order. The hon. Member now proposes to take the power into his own hands of arranging the Government Business in his own manner. I am very sorry to hear the hon. Member say that his hopes of seeing the Agricultural Holdings Bill passed this Session have fallen 90 per cent, because it has never entered into my mind that this Bill will not be passed during the present Session if it is approved by the House.

Mr. J. LOWTHER said, he wished to point out that the right hon. Gentleman had omitted to note the main point of the contention of his hon. Friend, which was that the Government had failed to carry out their original intention with regard to proceeding with the Agricultural Holdings Bill. The announcement of that intention was received with approval on both sides of the House, and their departure from it had caused very general disappointment, and would not, he feared, tend to promote the despatch of Public Business.

Mr. ACLAND said, that, on the part of several Members on the Liberal side of the House, who would have preferred precedence being given to the Agricultural Holdings Bill, while supporting the Government in their decision, he desired to repudiate the insinuation that they did not desire the progress and passing of that measure. He was not inclined to believe that the Agricultural Holdings Bill would be in danger from the course that had been adopted.

Mr. NEWDEGATE said, the difficulties of agriculture were threatening to break up the time-honoured relations between landlord and tenant, and he hoped the Government would consider it incumbent upon them to afford a remedy for the state of things in the agricultural districts.

Mr. ASHMEAD-BARTLETT said, he must protest against the postponement of the Agricultural Holdings Bill on the ground that, while the Corrupt Practices Bill did not concern the House of Lords, the special interest and knowledge possessed by Members of the Upper House in all matters relating to land rendered it most important that ample time for the discussion of the Tenants' Bill should be given the House of Lords. The prospect of the Compensation Bill being sent up late in July, or early in August, would be a great injustice to the agricultural community.

Mr. DUCKHAM said, that he would be very greatly disappointed if the Agricultural Holdings Bill were not passed this Session. He should like to see the Motion withdrawn under an assurance from the Government that they would name some early date when the Bill would be brought forward. The measure was anxiously looked for by the farmers throughout the Kingdom, and he would prefer to see an Autumn Session rather than the Bill should be dropped.

Mr. DILLWYN said, he was one of those who had declared in favour of the Corrupt Practices Bill, because there was probably no doubt about the Agricultural Holdings Bill being passed; but there was considerable doubt about the fate of the Corrupt Practices Bill if the other got precedence.

Mr. CHAPLIN said, that, in the absence of any promise from the Government that the Agricultural Holdings Bill would be proceeded with before the end of the Session, he had no alternative but to divide the House.

Mr. GLADSTONE said, he must deny that he had given no promise of any kind. Those who listened to his earlier remarks would be aware that he had given as much promise as it was in the power of any man to give with respect to matters of future contingencies. He considered it part of his absolute duty to persevere in this measure, and to take the judgment of the House upon it this Session.

Mr. CHAPLIN asked if he was to understand the promise to be that if the Committee on the Corrupt Practices Bill were not concluded before a certain time, the Prime Minister would proceed with the other?

Mr. GLADSTONE: It has no reference to the Corrupt Practices Bill.

Mr. F. J. FOLJAMBE said, he was greatly disappointed at the Agricultural Holdings Bill not being proceeded with at once; but, at the same time, he felt he would be assisting the process of both measures by now voting with the Government.

Motion by leave, *withdrawn*.

Motion made, and Question put, "That this House will immediately resolve itself into the said Committee."

The House *divided*:—Ayes 105; Noes 51: Majority 54.—(Div. List, No. 140.)

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 2 (What is corrupt practice).

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, with the permission of the Committee, he would remind hon. Members of the position in which they stood with relation to that portion of the clause which the hon. Member for the City of Cork (Mr. Parnell) sought to amend by substituting certain specific words in lieu of the general words of the clause dealing with undue influence. In drawing this Bill no attempt was made to interfere in any way with the definition of undue influence in the former Act; but the definition of that offence which existed in the Act of 1854 was incorporated in this Bill, and the offence as so defined made one of the corrupt practices to be dealt with. On Thursday last the hon. Member moved an Amendment of which he had given Notice, the object of which was to incorporate certain words in the definition contained in the clause. The hon. Member was, of course, quite within his right in endeavouring to make that alteration, although, in doing so, he thought he had not suceeded in carrying out his views in a very clear or efficient manner. The hon. Member, in framing his Amendment, had apparently been attracted by a sentence in a Judgment of Mr. Justice Willes, in which the learned Judge was not defining the offence of undue influence, but making an explanatory statement. This, however, the hon. Member had adopted, and moved as a definition of undue influence. When the matter was discussed on Thursday last, the Government not having been able to accept that Amendment the hon. Member very judiciously re-arranged it in a manner which carried out the view which he had not expressed so clearly in the former Amendment. The proposal of the hon. Member was substantially to strike out from the existing definition the words "or in any other manner practices intimidation," together with the subsequent words "or otherwise to interfere with." To this Her Majesty's Government could not agree, because it seemed to them that the general words in question were the only words which dealt with undue clerical influence. When the Act of 1854 was passing through the House, Mr. Whiteside asked the question, "What words have you dealing with this undue spiritual influence?" To which Mr. Walpole replied, that undue spiritual influence was dealt with in the words "or in any other manner practices intimidation;" and he added that this was the opinion of Sir Alexander Cockburn and Sir Fitzroy Kelly. Under those circumstances, the Government could not accept the Amendment of the hon. Member for the City of Cork, which would have the effect of striking out the words he had cited. But on Friday last the hon. Member for Sligo (Mr. Sexton) stated distinctly that undue spiritual influence should be provided for, but not in general words, and his view was supported by the hon. Member for the City of Cork.

MR. PARNELL: I did not say it was absolutely a desirable policy; but I agreed, seeing that the Government had taken their stand upon it, that the alteration should be made. We did not yield our contention on the subject.

THE ATTORNEY GENERAL (Sir HENRY JAMES): The hon. Member said he should not object to the clause dealing with undue spiritual influence, so long as it was not dealt with in undefined, vague, and general words. That was the first time an opportunity presented itself of arriving at an agreement on this subject with the hon. Member and his supporters, and he had promised to do his best to carry out the view which had been expressed. Accordingly, he had prepared an Amendment, which omitted the words "or in any other manner practices intimidation," but by which it was proposed to insert before the word "injury" the words "temporal or spiritual." It seemed to him that those words would not prevent a clergyman from using proper persuasion, but that they would prevent the refusal of religious rites to a man, and afford sufficient protection against every kind of denunciation or intimidation. He had an argument to bring forward, which he was inclined to hope would have weight with his hon. and learned Friend the Member for Launceston (Sir

Hardinge Giffard) and influence his vote in favour of the Amendment. When the subject of undue influence was before the Committee in 1854 this very question arose; and inasmuch as it was stated that the general words which he now asked leave to strike out would cover undue spiritual influence, some Members of the Conservative Party took a different view, and it was moved by Mr. Malins, and seconded by Mr. Spooner, to insert the very words, "temporal or spiritual," which he now proposed to substitute. That being the case, he was inclined to hope that a proposal which was satisfactory to Mr. Spooner would recommend itself to hon. Members opposite. He had been asked to do more in the way of definition than he had done; but to this he could not assent, because if they were to say that a crime could only be committed by certains means, other means would be discovered by which it could be committed. The Committee would recollect the recent trial at which certain persons were charged with levying war against the Queen; and he would remind them that had the Act of 1848, under which the charge was made, defined the means of levying war, a conviction would not have been obtained. The definition he now proposed, therefore, expressed the length beyond which the Government could not go. He believed that under the Amendment he now proposed he had fulfilled the promise he had made. In framing that Amendment he had adopted the middle course, and he hoped it would prove acceptable to the Committee.

Amendment proposed,

In page 2, at the end, to add the words,—"Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall, by abduction, duress, or any fraudulent device or contrivance impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be guilty of undue influence."—(*Mr. Attorney General.*)

Question proposed, "That those words be there added."

The Attorney General

Sir HARDINGE GIFFARD said, he thought the country would learn with some degree of astonishment the concession which the Attorney General had made. The hon. and learned Gentleman proposed to give up that which, upon his own statement, had been the law for 30 years, and which, so far as he (Sir Hardinge Giffard) was aware, had never been objected to. He would remind the Committee that upon the words proposed to be struck out a certain judicial decision had been given in Ireland. Hon. Members below the Gangway asked that those words should be struck out, on the ground that they were general in their character, and that a partial and political Judge in Ireland might give them a meaning which they did not desire to be attached to them; and in answer to that appeal Her Majesty's Government had agreed to give up words which for 30 years had been on the Statute Book. But the matter did not rest there. The hon. Member for Wolverhampton (Mr. H. H. Fowler) very plainly raised an important issue when he said—"Do you mean to say that the passage of the Judgment of the learned Judge is to remain the law, in which he said that whoever told an elector that if he voted for a particular man he committed a sin was guilty of undue influence?" He had listened with some anxiety to hear what the Attorney General would say to this; but the hon. and learned Gentleman had not replied on the subject, and he would therefore ask whether that was the law now? The Committee were entitled to know what the Attorney General himself thought about the matter. Hon. Members below the Gangway desired that it should be competent to a priest to tell a man that in voting for a certain candidate he was committing a sin. All he desired was that the Committee should understand the position. A most learned Judge, in a Judgment which, so far its reasoning was concerned, few would be found to quarrel with, had decided that to do a certain thing was against the law by reason of the existence in the Act of Parliament of these words which the Attorney General now consented to strike out. It appeared to him that in the latter part of his observations the hon. and learned Gentleman was arguing against himself, because he said—"If you define a certain number of things, you except by your definition everything you do not define." Well, in order to get rid of that sort of legislation, Parliament enacted that if a person intimidated, "or in any other manner practiced intimidation," he should be guilty of the offence of undue influence, and it was by those words that the learned Judge was able to put down that which many persons regarded as undue spiritual influence. He thought the Committee ought to know, and that the country ought to know, what it was that the Government were conceding. Were the Government aiming at encouraging those who desired to get rid of that check upon spiritual influence, or were they not? With all respect, he thought the proposed words nonsensical. What was the meaning of "inflicting or threatening to inflict spiritual damage, harm, injury, or loss?" He thought the hon. Member for Salford (Mr. Arnold) had gone to the root of the matter when he said that the actual infliction of spiritual harm or loss was an impossible thing. The Attorney General avoided the use of that which had given the Irish Judge the power to check spiritual intimidation, and he proposed to substitute for it that which was absolutely nonsensical. It was all very well to compliment the hon. Member for the City of Cork (Mr. Parnell) and the hon. Member for Wolverhampton (Mr. H. H. Fowler) on being able to accommodate this matter with them; but, before they gave their sanction to that arrangement, the Committee had a right to know whether they all meant the same thing. Would the Judgment referred to have been the same had the words in question not been in the Act of 1854? He should be glad to hear the reply of the hon. and learned Gentleman to that question; because if the Amendment proposed really meant a change of the existing law, he thought it well that the country should be made aware of the fact.

Mr. ARTHUR ARNOLD said, the hon. and learned Member for Launceston had shown conclusively that the Attorney General had not materially improved the position of the Committee with reference to this matter. On Friday last the difficulty before the Committee was the vagueness of the words inserted in this definition, and hon. Members opposite were then successful in obtaining the consent of the Government to drop them. But it appeared to him that the Government had inserted in the definition words which were still more vague. He need not dwell on the word "temporal," because it was only used by way of contrast to the word "spiritual." With regard to the view taken by Mr. Spooner, which had been cited by the Attorney General, he would mention that having had the acquaintance of that Gentleman he was able to say that he was not one whom he should be disposed to follow in a matter of this important character. He, however, humbly followed the hon. and learned Member for Launceston as to the difficulty of interpreting the words proposed by the Attorney General—if the hon. and learned Gentleman found their interpretation difficult, it was impossible to him. He, therefore, proposed to leave out the words "spiritual or temporal," and the Amendment would then run—

> "Any person who by himself or any other person threatens any damage, injury, harm, or loss."

The words he proposed to leave out were not needed, because if a priest were to threaten a man with any actual injury, such as the loss of Church membership, he would certainly be brought in as exercising undue spiritual influence. He hoped the Committee would, therefore, be of opinion that they might safely dispense with the words in question, the omission of which he begged to move.

Amendment proposed, in line 4, to the proposed Amendment, to leave out the words "temporal or spiritual."—(*Mr. Arthur Arnold.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

Mr. NEWDEGATE remarked, that his late Colleague, Mr. Spooner, thoroughly understood this subject, and was well informed as to ecclesiastical history. It was at his suggestion that the words were inserted, and he submitted that the House acted rightly in accepting those words, "Temporary and spiritually," which the Government adopted. The insertion of those words had already received the sanction of the House; and it must be borne in mind that they were accepted by a Liberal Government—not by Tories or Orangemen—but that they were inserted in the Act in accordance with the deliberate judgment of a Liberal House of Commons, and they were also assented to by the House of Lords. He, therefore, thought the Attorney General had ample ground for inserting the words now, and he would certainly vote with him if any question was raised as to their insertion. He would, however, venture to make one suggestion—namely, that after the word "spiritual," and before the word "injury," the word "privation" should be inserted, because one of the principal means by which the Church of Rome exercised the terror on which her discipline depended was the privation of the rites of Confession and of the Sacraments. "Privation" was the word recognized by that Church in her ecclesiastical censure. He would, therefore, recommend the Attorney General, after the word "spiritual," to insert the word "privation." He believed, at the same time, that it would be of very great importance to exclude the words "any other means." The ingenuity of a distinct body, generally unseen, of the Church of Rome, but which exercised great influence even over the Papacy itself, and had almost usurped its jurisdiction, was notorious, and especially in regard to the use or abuse of language. He therefore held that in dealing with so skilful a body it was far better for them to rely on general words, which must be interpreted according to the definition given them by the Common Law, which would give a security for effecting their purpose, which he did not think they would otherwise obtain.

Mr. P. MARTIN differed from the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) as to the kind of language that ought to be used in framing Acts of Parliament. He thought they ought to use words precise and free from ambiguity in creating an offence of this description. Was that done by the Amendment? He had listened to the Attorney General with some anxiety to know what meaning he attributed to "spiritual injury, danger, harm, or loss." Where was there in any Act of Parliament a meaning given to the word "spiritual," to guide the Judge, and where was there any analogy to be found in an Act dealing with crime that inflicted spiritual loss? He thought the hon. Member for Salford (Mr. Arnold) was perfectly correct in the apt illustration which he had supplied to the Committee. Telling a man to go to a certain unmentionable place constituted to that man a spiritual loss if he was to go there; but was the man against whom such language was used subjected in reality to any spiritual loss? Was the use of over strong language against a man for voting in a certain manner and telling him he was likely by the vote he gave to prejudice his chances hereafter, to be held as a threat of the infliction of spiritual harm or loss within the meaning of the words used in the sub-section? The Attorney General had admitted it was perfectly right for a clergyman, in the strongest and most forcible terms, to say a man would commit a sin in voting for a particular candidate. He had stated he dissented from the dictum to that effect of Lord Fitzgerald in the Longford case. Yet the words now used would permit a Judge to adopt that dictum as the true interpretation of the offence of undue influence. It appeared to him that the Attorney General had not given effect to the promise he made at their last Sitting. The present words constituted but a very slight, if any, improvement on those used in the Act of 1854. There should be apt words to define what they meant by "undue influence." Let them have words to guide the Judge in coming to a conclusion as to the facts; but do not let them have expressions used which would leave an Atheist Judge to come to one conclusion, a Catholic Judge to come to another conclusion, and a Presbyterian Judge to another. As the clause stood, the Judges of different denominations would come to different conclusions, and the Attorney General had failed to carry out what he said he would do—namely, define what he meant by "undue influence." What he (Mr. Martin) contended was, that it had been the understanding and desire of the Committee that uniformity of decision should be secured by apt and clear words defining what Parliament intended. Let the Judge, when he came to pronounce his Judgment and find a man guilty of crime, have before him in express terms what it was that the Act of Parliament intended to prohibit. Could any hon. Member who read the Amendment say that that had been done? Notwithstanding the acute intelligence of the hon. and learned Member for Launceston (Sir Hardinge Giffard), that hon. and learned Member said he could not understand what legal meaning ought to be given to the words used in this proposed sub-section. When the Attorney General thus failed to express, as all the Members who had spoken up to the present asserted, what the precise legal meaning of this sub-section was, how could he, in fairness, ask the Committee to accept what was unintelligible? He (Mr. Martin) thought, under the circumstances, the proper course was to adopt the Amendment moved by the hon. Member for Salford (Mr. Arnold). Under the protection of the Ballot Act, the voter now went up in secrecy to record his vote according to his own free will and conscience. Some such words as those of the Amendment would be required if the Committee contemplated the exclusion from the operation of the sub-section of that which the Attorney General had admitted to be justifiable—namely, fair spiritual influence in the way of exhortation. It was right for him to say there was, in his judgment, considerable misconception in the statements that had been made as to the true meaning and extent of what Lord Fitzgerald had laid down in his Judgment in the Longford case. That eminent Judge had not laid down, or intended to declare, that if a clergyman said to the members of his flock that they would commit a sin by voting a certain way he was guilty of "undue influence." He would take the ordinary case of a man who wished to disinherit his son, and the clergyman said—"It is a sin to do that." Was that a crime, or the exercise of undue influence? If a man intended to do that which a clergyman, be he a Catholic or a Presbyterian, *bonâ fide* believed to be wrong or improper, why should the clergyman be prohibited from pointing out, from his standpoint, the moral consequences of his act to a voter? The question was not one which affected the Catholic clergy alone—for the Presbyterian clergy spoke quite as strongly at elections as the Catholic clergy. Then, why should they be denied the use of free opinion and of strong language, when it was right and proper to use free opinion and strong language? They all knew that no election took place in England without the Press, and more especially the local Press, making use of strong language when the candidate appeared. In election times, whether it was right or wrong that it should be so, all would admit expressions not unfrequently were used of a character which, if used by a clergyman, would clearly come within the meaning of the prohibition created by the words of the sub-section. Then, if writers for the Press were allowed to make such remarks, why forbid the same right to the clergy? Why were Roman Catholic clergymen alone to be the objects of penal legislation in this case? Had the House reflected on the grave consequences of what they were about to do under this Act? Suppose a case like the Bradlaugh question were to arise; was the Attorney General prepared, because a clergyman pointed out that he considered it in his conscience a sin to vote for an Atheist, and for the admission of an Atheist into the House of Commons, to declare that it was the duty of the Election Judge to send that clergyman for 12 months to gaol? If not, then the Committee ought not to allow the sub-section to pass. In Ireland, in many of their greatest polical struggles, as those for Catholic Emancipation and the right of free education, it had plainly been the duty of the Catholic clergy to use words of remonstrance and warning to their co-religionists as to the mode in which they intended to exercise their rights when voting. Would the Attorney General be prepared to say that clergymen, who thus expressed their conscientious convictions, were to be made liable to prosecution and imprisonment? A Liberal Government was in power. Let them legislate, then, in a liberal spirit. The great triumphs which had been won for England had been won by free legislation. Let them not attempt to coerce one class more than another. They had wisely permitted the free use of strong, vehement—nay, even denunciatory and threatening—language by the Press and public speakers on political subjects. That licence had worked well. Then, why should they seek to legislate for the Catholic priesthood of Ireland, or the Presbyterian clergy, in a different spirit from that in which they were prepared to legislate for the Press and public speakers?

Mr. MARUM said, he was disposed to agree entirely with the hon. Member for Salford (Mr. Arnold), that they should leave out the words "temporal or spiritual," because he believed that the omission would render the matter more intelligible. It was scarcely intelligible at present. As the hon. and learned Member for Launceston (Sir Hardinge Giffard) said, the words were nonsensical as they now stood. Mr. Austin, in his *Province of Jurisprudence*, pointed out the difference between the positive law and the moral law, and the difficulty of endeavouring by positive law to control a person from doing that which he thought himself bound to do under the moral law. Mr. Austin was Professor of Law in the University of London, and he said—

> "The simple and obvious conditions to which I have now adverted are often overlooked by legislators. If they fancy the practice pernicious, or hate it they know not why, they proceed, without further thought, to forbid it by positive law. They forget the positive law may be superfluous or impotent, and therefore may lead to nothing but purely gratuitous vexation. They forget that the moral or the religious sentiments of the community may suppress the practice as completely as it can be suppressed; or that if the practice is favoured by those moral or religious sentiments, the strongest possible fear which legal pains can inspire may be mastered by a stronger fear of other conflicting functions."

There was only one other passage with which he would trouble the Committee—

> "In consequence of the frequent coincidence of positive law and morality, and of positive law and the law of God, the true nature and foundation of positive law were often absurdly mistaken by writers upon jurisprudence. Where positive law has been fashioned on positive morality, or where positive law has been fashioned on the law of God, they forget that the law is the creature of the Sovereign, and impute it to the author of the model."

That was exactly what was done here, and he thought the passage he had read was a complete authority for the proposition brought forward by the hon. Member for Salford (Mr. Arnold), and alluded to in the course of the debate. It was asserted by the Attorney General that clergymen of the Roman Catholic Church had no right to direct a voter. Now, he (Mr. Marum) held that clergymen had no right to direct a voter upon matters of fact, or upon anything concerning matters of fact; but that questions of that nature must be left freely and entirely to the voter himself. But in matters of religion and morality, he held that a clergyman had a perfect right to direct the voter, and it was not "undue influence" for a priest to advise and direct him upon such questions. He would not object to a clergyman being subjected to pains and penalties if he were to put a voter in fear on account of matters of fact; but he would ask the Committee to consider the collision which would take place when they endeavoured to legislate for two laws that were concurrently running. It was impossible for the Committee to control the moral law by any mere ephemeral legislation in regard to positive law. He regretted that the Attorney General seemed to be determined to press forward this clause without the omission of the words "temporal or spiritual." In the event of the Attorney General persevering, he proposed to add a Proviso, in order to guard a clergyman against being caught by the meshes of the clause. He should propose at the end of the clause to add these words—

> "Provided that the exercise of any ordinary jurisdiction in the performance of his duties or the fulfilment of his functions as a minister of religion by any clergyman of any religious belief shall not be deemed undue influence within the meaning of this Act."

He protested against the Amendment being pushed to its legitimate issue against the Catholic clergy, and he should do all in his power to prevent it. The words of the Attorney General's proposals were these—

> "Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who shall, by abduction, duress, or any fraudulent device or contrivance, impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be guilty of undue influence."

Those words certainly did not appear to him to be very intelligible as they stood; and if they were adopted by the Committee he should certainly endeavour to control them by the Amendment he had indicated, and which he should propose subsequently.

MR. H. H. FOWLER said, he thought if they would ask themselves, first, what the Attorney General had conceded, and, next, what he proposed to do, they would be able to come to a better understanding of the position in which the matter stood, without the necessity for beginning, as he was afraid some hon. Members had begun, *de novo*, as if the question had never been before the House at all. He was sorry the hon. and learned Member for Launceston (Sir Hardinge Giffard) was not present; but the idea that any communication had passed between the Attorney General and himself (Mr. Fowler) was entirely incorrect. He had never seen the clause until he saw it in print that afternoon; and he could only say that he thanked the Attorney General for the time, attention, and ability he had devoted to the matter in endeavouring to meet the wishes of the Committee. Now, what was it that the Attorney General had conceded? On Thursday and Friday it was contended that under the existing law the words in the Act of Parliament, "or in any other manner practices intimidation," whether rightly or wrongly, had been held by the Irish Judges to apply to the legitimate influence of the clergy with their flock; and it had been further held that the legitimate exercise of spirital influence by the Irish priests amounted to undue influence. It was all very well for the hon. and learned Member below him (Mr. Martin) to say that the Irish Judges had decided wrongly. He understood the hon. Member for the City of Cork (Mr. Parnell) to object to words that opened so wide an area as the words "or in any other manner practices intimidation." It was contended that they might be held by the Irish Judges, wisely or unwisely, to extend to acts of political as well as religious influence that were not interfered with in this country, and in reference to the exercise of which there would be no objection in this country. The great fight on Thursday and Friday was to strike out these very words. The section, as drawn, covered every other species of intimidation which could be defined, and every other species of intimidation that ought to be defined. The Attorney General said the words were intended, not to extend to political intimidation, but to the undue exercise of spiritual influence. As the case was put on Friday afternoon by the right hon. Gentleman the President of the Board of Trade, it was not intended to apply to such legitimate and proper influence as that exercised in Birmingham by so distinguished and able a man as Dr. Dale. The right hon. Gentleman put that case on the one hand, and on the other he put the case of excited and angry persons denouncing a candidate by name from the altar, and threatening those who voted for such candidate with the most severe spiritual consequences. Of course, his right hon. Friend was too clever a rhetorician not to know that nothing was more taking than to put the minimum of one class and contrast it with the maximum of another. But the view he (Mr. Fowler) took was that there was a vast area of ground to traverse between the moderate influence the right hon. Gentleman the President of the Board of Trade put as taking place in Birmingham and the extreme case which he put as one which might possibly take place elsewhere. He also contended in favour of that legitimate influence which any religious and moral teacher necessarily had, and which he was bound to exercise in the case of what he considered to be morally right, proper, and religious. He was of opinion that they ought not to leave any words in the Statute which might possibly affect such a case. His right hon. Friend the Member for Birmingham (Mr. John Bright), when it was proposed to go to war with the Northern States of America on behalf of the Southern States, denounced the stupendous guilt of such a national crime. Now, if the country had been called upon to go to war with the Northern States of America for the purpose of upholding slavery in the South, he believed, with his right hon. Friend, that it would have been the duty of every man who believed in the Bible to denounce such a war on every platform in England as a great national crime, and to use all the influence in his power to prevent a man from voting in favour of what, in his judgment, and that of most Christian men, would be a great national sin. That was the influence he desired to protect, and the Attorney General said he had protected it, while, at the same time, endeavouring to aim at something far beyond. He asked the Committee to remember what the Attorney

General had conceded—namely, what they had really objected to—vague, undetermined, and wide words. And what had the hon. and learned Gentleman inserted in their place? He was sorry to say his hon. Friend the Member for Salford (Mr. Arnold) had not quoted them correctly. The hon. and learned Gentleman had not said—"Inflict or threaten any temporal or spiritual injury;" but the words were—

> "Inflict, or threaten to inflict, by himself or by any other person, any temporal or spiritual injury."

That meant something a man was to do by himself, or by somebody else. The hon. and learned Member for Launceston (Sir Hardinge Giffard) said he could attach no meaning to those words. The only meaning he (Mr. Fowler) attached to them was that they were words to give effect to the objection and meaning of the hon. Member for the City of Cork (Mr. Parnell) and the hon. Member for Sligo (Mr. Sexton) in the debate on Friday. He understood those hon. Members not to object to words condemnatory of undue influence, and these words only referred to the injury which any man could inflict by himself, or by any other person, by the refusal of some religious rite. He did not understand the Irish Members to object to the conduct of a priest who should threaten to deprive a man of the Sacraments for voting in a particular way, as being undue influence. It appeared to him that all the hon. Gentleman was aiming at was—

> "Shall inflict, by himself or any other person, any temporal or spiritual injury,"

such as refusing the rites of the Church and the Sacraments for a political act. He understood that the Roman Catholic clergy were not adverse to legislation in that direction; and, if that were so, it seemed to him that every other case was provided for. The case which the hon. and learned Member for Launceston (Sir Hardinge Giffard) had put, of denouncing a man by saying that he was guilty of sin, could not be punished under the clause, unless it could be shown that the clergyman had inflicted upon the voter any real, temporal, or spiritual injury. The wide words of the Statute of 1854 did allow of that, and the Irish Judges had so laid it down. Under these circumstances, he fully appreciated the concession which the Attorney General had made, and he thought that it was a very considerable concession. If they were taking the old question *de novo*, he thought they might have omitted all reference to the matter. But they must remember what the law had been for the last 30 years. He advised the Committee to accept the Amendment in the words which the Attorney General had proposed.

MR. PARNELL agreed with the hon. Member who had just spoken, that the Amendment of the hon. and learned Gentleman the Attorney General for England did amount to a concession, and a concession of some value; and he regretted that, owing to the juxtaposition in which he had put the words "spiritual and temporal," he (Mr. Parnell) found it impossible to accept the Amendment fully and cordially, and that he was obliged to ask for further modification in the shape of an Amendment, which he himself proposed to move later on. He admitted that the hon. and learned Gentleman had displayed a desire to meet the views of the Committee, and also the views of hon. Members sitting on those Benches; and, therefore, it was the more to be regretted that the hon. and learned Gentleman had not framed the Amendment in such a way that the Committee could cordially accept it, with the knowledge that the law, as it was to stand in future, could not be used injuriously to any Church in Ireland, or to the religious scruples of any section of the community in Ireland. He agreed that, so far as temporal undue influence went, the omission of the paragraph in the middle of the old definition in the Act of 1854 did do away considerably with the vagueness and wideness of which they complained, and took away their objection to the spiritual aspect of the question. But he felt sure that the clergy, and more especially the Catholic clergy of Ireland, if the Committee were to agree to this Amendment, without pointing out the mischievous effect of the portion he referred to, would feel that they had been unfairly treated, and the Committee would be neglecting their duty if they allowed the slur to be cast on them, which this Amendment appeared to cast on them, in selecting them in this invidious manner as likely to inflict injury, harm, or loss, by the exercise of their spiritual functions. He and his hon. Friends, consistently maintaining their ground throughout, disagreed altogether *ab initio* with the policy of introducing the question of spiritual influence; and he believed, as he had over and over again stated, that if there was likely to be undue spiritual influence in Ireland, which he denied and did not at all think likely, it could not be checked by this or any other amendment of the law they were likely to insert in an Act of Parliament. If an Irish priest chose to exercise undue spiritual influence, and an Irish electer chose to permit it, all the law they could enact would not prevent it, because there were ways and means open to the Catholic clergy of exercising undue spiritual influence of such a character that it was utterly impossible for the law to guard against it or prevent it. He therefore thought it would be far better for the House to rely upon that general spirit and feeling which was increasing rapidly in Ireland, that there was a wide line of distinction to be drawn between religious duty—that was to say, duty to the Church—and civil duty, which was duty to the State. He regretted exceedingly that, owing to the vagueness of the definition contained in the Act of 1854, this question had been raised in a manner in which it had been found necessary to raise it. What was the meaning of the expression, "spiritual injury, damage, harm, or loss?" How was the law going to define it? As several hon. and learned Gentlemen had already pointed out, it was not a term that had been, so far, known to the law, and they were about to introduce it for the first time in the Statute Book. On Friday they expressed themselves willing to agree to that definition of "undue spiritual influence" which the Irish Judges had pointed out, from time to time, as being contrary to the law. The decision of Mr. Justice Fitzgerald had been quoted by the right hon. Baronet the President of the Local Government Board, and he (Mr. Parnell) and his hon. Friends had also quoted that definition as being one they were willing to accept. For instance, Mr. Justice Fitzgerald, in the Longford case, said—

> "He must not threaten to excommunicate, or to withhold the sacraments, or to expose a person to any religious disability, or to denounce the voting for any particular candidate as a sin entailing punishment here or hereafter."

Some of his hon. Friends said they did not agree with the last definition, but they agreed with the two first and the most important ones, and they were both contained in the Amendment he proposed to move. He asked them to consider, if they adopted the Amendment of the Attorney General, and provided that the infliction of any spiritual injury, damage, harm, or loss, or threat to inflict it, directly or indirectly, on any person might void the election, what would be the position of a priest who went upon a platform and told the electors that their duty to their country and their religion required them to vote for a certain candidate. There were electors in Ireland who fancied that they would commit a sin if they voted for a certain candidate contrary to the wishes of the priest. He regretted that it should be so; but if an elector was so ignorant—he would not say many of them, but if some of them were so ignorant—that the simple fact of a request from the priest to vote for a particular candidate, or a speech delivered by a priest advising them to vote for a particular candidate and be true to their religion and their country, would bring about such a state of things and induce certain voters in Ireland to believe they were committing a sin if they voted in a direction contrary to that desired by the priest, he did not see how it was to be guarded against by an Act of Parliament. Under such circumstances, the Election Judge would step in and take advantage of the elasticity and vagueness of the definition contained in the Act. He would quote a paragraph from a particular speech, and would say—"There are electors in this constituency who must have thought they were running a risk of having spiritual damage and loss inflicted upon them if they recorded their votes contrary to the priest's wishes, because such a passage happened to be contained in the speech delivered by some gentleman upon a platform;" and, although the great bulk of the constituency might have exercised the vote with perfect freeness, as far as the exhortations of the priest were concerned, the Election Judge would void the election. He (Mr. Parnell) submitted that they ought not to be called upon to legislate so as to provide for imaginary evils and superstitions, which might exercise influence upon the minds of a few of the electors in the Irish constituencies, so long as the course of events proved that the great bulk of the electors in the Irish constituencies were free from these superstitious fears and imaginations, and refused to allow the influence of the priest from a religious point of view to put away their notions of political duty upon political questions. Then, he contended that that was a proof that this vague and wide definition was not required, and that the freedom of election and the rights of the constituencies would be imperilled by its adoption. It was a curious thing that the Election Judges—Mr. Justice Keogh, for instance—had adopted the definition which he (Mr. Parnell) proposed to move further on. Mr. Justice Keogh, in delivering Judgment in the second County of Galway Election Petition, in the case of Captain Nolan, said, referring to the Judgment he had previously delivered in the Galway Town case—"I further declare"—to these words he (Mr. Parnell) wished especially to direct the attention of his hon. and learned Friends—

> "I further declare that if a single elector, even the most miserable criminal in this town, had been refused the rites of the Church in order to compel him to vote, or because he had voted, or because a member of his family had voted in a particular way, I would have voided this election without the slightest hesitation."

It was in reference to that passage that he and his hon. Friends had said—"Introduce a definition into the Bill, and we will agree to it; but we disagree from the policy of referring to spiritual intimidation at all. If, however, you insist upon it, then, to save the time of the Committee, we will agree to, and we will not oppose, the insertion of such a definition." Then, again, in the case of Lord St. Lawrence and Sir Rowland Blennerhassett, Mr. Justice Keogh refused to void the election, on the ground that there had been no such undue spiritual influence as the refusal of the Sacraments, and so forth. In the Mayo case, in 1857, Colonel Higgins was the unsuccessful candidate, and it was proved that the Catholic priest told the people from the altar that—

> "The curse of God would come down upon anyone who voted for Colonel Higgins;"

and that—

> "If they were dying he would not give them the rites of the Church if they voted for Higgins."

Upon that evidence the election was held to be void—

> "If, in the present case, it had been proved that in a single instance the rites of the Church had been refused in order to influence voters, I would have voided the election; but that has not been proved. It has, however, been proved that in various churches the celebration of the Mass was suspended after the first Gospel in order to lecture the people upon the conflicting claims of the different candidates. I recognize the full right of the Catholic clergy to address their congregations, and I would not hold a hard-and-fast line as to the language which, in excited times, may be used by Catholic ecclesiastics or civilians, provided they did not surpass the bounds of legitimate influence."

He (Mr. Parnell) took his stand on the objectionable exercise of influence which the Irish Justices had pointed out, and he asked the Committee to insert those grounds in the Statute Book as proving that the necessities of the case need go no further.

Mr. HINDE PALMER said, that what took place on Friday would be in the recollection of the Committee. The Attorney General brought forward the clause, and the hon. Member for the City of Cork (Mr. Parnell) introduced an Amendment very similar to the one now before the Committee, in which he attempted to introduce the definition from the Act of 1854, instead of leaving the Bill in the general terms in which it stood. But, in proposing that Amendment, the hon. Member omitted from it everything that would at all reach spiritual intimidation, and the effect was that it became absolutely necessary to introduce words to make the matter clear. The words used in the Bill were amply sufficient to meet the description of undue influence which they all sought to prevent, and therefore the object they had in view was attained by them. They had now arrived at a point when all that was necessary for the Attorney General to do was to introduce words which should sufficiently define what it was the Committee understood by "undue spiritual influence," as distinguished from what might be called legitimate spiritual influence. What was introduced here was really all that was necessary to meet the evil of spiritual intimidation. The hon. Member for the City of Cork (Mr. Parnell) had told them that spiritualism went further than that, and that there was a class of people in Ireland who were so illiterate that they were influenced by almost any denunciation or threat that any priest might indulge in. If they set themselves to the task of defining every variety of spiritual influence which the hon. Member said was brought to bear on the unintelligent in Ireland, they would utterly fail. It would be utterly impossible to lay down, in an Act of Parliament, anything to thoroughly cope with the evil. The worst possible legislation was legislation which defined what a crime was by setting forth the method in which it could be committed. Legislation of that kind was most mischievous. The words which were here used seemed to him to be sufficient to put a stop to all undue intimidation in the exercise of all improper spiritual influence. Some hon. Gentlemen seemed to think that these words did not go far enough; but they could not reach all the undue influence they desired to prevent. He had no doubt that all the undue influence which had been referred to would be made criminal. He did not feel a shadow of a doubt that any Judge, including Lord Fitzgerald, would hold that such undue influence as they sought to prevent would come within the meaning of these words, and that was all they wanted to get at. As a matter of fact, the Amendment would do that which on Friday night they all agreed it was most desirable to do—namely, prevent that sort of intimidation by threats of spiritual injury—for these were the words of the Amendment—about which so much complaint was made. The words would not hurt the feelings of any sect or denomiation, if clergymen thought it right to exert their influence in election matters; but it would effectually put a stop to that which, all were agreed, it was most desirable to prevent. The hon. Member for Salford (Mr. Arnold) said this was the first time such a thing as spiritual influence had ever been introduced into an Act of Parliament; but the Committee should bear in mind that the law of this country was not altogether made up of Acts of Parliament, but that it consisted largely in the interpretation of law by the Judges, and "spiritual influence" was an expression well known in Courts of Law, especially in the Chancery Division. He was quite aware that many hon. Gentlemen opposite, who belonged to the Irish Party, had an objection to Judge-made law, and so had he himself; but when they came to that which was unquestionably a spiritual injury, whether it was laid down in an Act of Parliament or not, it was an offence, and they had better do what they could to prevent it. He agreed that the hon. and learned Attorney General had very fairly endeavoured to meet the difficulty they all felt themselves to be in on Friday night, and he, therefore, very cordially supported the proposal.

SIR R. ASSHETON CROSS said, he wished to put questions to the Attorney General, the answers to which he thought would very materially shorten the debate. When they parted on Friday night the Attorney General stated that the hon. Member for Wolverhampton (Mr. H. H. Fowler) had put a very plain question to him, and he (Sir R. Assheton Cross) would now repeat as plain a one. He wished to ask this—Whether, if a minister of religion got up in his pulpit—he did not care whether it was a Roman Catholic priest, or a Church of England clergyman, or a Nonconformist minister—and said to his congregation, "If you vote for A or B, who holds such and such opinions, you commit a sin," such minister was guilty of undue influence? That was the question he wished to have answered; and unless they knew exactly what the meaning of the clause was to be it would be impossible for them to vote upon it. He wished also to put another question to the Attorney General. In the Act of 1854 they had a definition of undue influence, and that definition had guided them for many years; and though it might be quite true that when this Act of Parliament was first passed there might have been doubts among the Judges as to how it was to be interpreted, they were now going to propose a new definition, and he very much feared that when that new definition was made there would be very grave doubts as to how the Judges would determine it. Before they went to that, therefore, he should like to know exactly what was the difference between the one definition and the other? [*A laugh.*] The Attorney General smiled at that, and he was glad to see that smile, for the point he was referring to was the one they had to discuss. It was quite true, and everyone knew it, that statements of Ministers in the House of Commons had nothing in the world to do with the decisions of

Judges afterwards; and what he wanted to know was what the Government wished to express? If the Government would only say what it was they wanted to express, probably some Members in the Committee would be able to help them to put their view into proper language. Before, however, they could do anything, it was necessary that the Committee should know the exact difference between the definition in the Act of 1854 and that now proposed. The Attorney General was proposing to change the law of 1854 for something new, and they wished to know distinctly from him what that change was to be? That was a distinct question, and he wished to have a distinct answer. [The ATTORNEY GENERAL here conferred with Mr. GLADSTONE.] He was in no hurry. He had always, however, been brought up to think that a person could not do two things at once, and it seemed hardly possibly that the hon. and learned Gentleman (the Attorney General) could listen to a speech from the Prime Minister and his (Sir R. Assheton Cross's) argument at the same time. He did not wish to make a captious objection; but he had every desire to assist the Attorney General on this subject. He did not in the least know what the meaning of the clause was; it was a great puzzle to him, and he was sure it would also be a great puzzle to the Judges. The clause mentioned "spiritual harm." Well, a minister might warn a man that if he committed a particular act it would be a sin, and the Supreme Being would punish that sin; but that could not be called inflicting spiritual harm, it was merely giving a warning. He could understand a Roman Catholic priest, who unquestionably had more power over his flock than any other minister of religion, saying—"If you do not vote for A, B, C, or D, I will excommunicate you, or refuse you the Sacraments." That, no doubt, would be inflicting spiritual harm. This would not affect Nonconformists, because no spiritual harm of that kind could be inflicted upon them; and all their minister could say would be—"If you vote for such and such a person I believe you will suffer hereafter," and that would not be inflicting any spiritual harm. He did not understand the meaning of these words, and the questions he wished to ask were these—["Oh, oh!"] He knew Nonconformists did not like this question——

MR. CAINE: We want to hear the answer.

SIR R. ASSHETON CROSS resumed his seat.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the right hon. Gentleman had asked his questions very distinctly, and he (the Attorney General) would endeavour to answer them as clearly as he could. As to the first, whether it would be undue influence for a clergyman to say—"It would be a sin to vote for such and such a person"—[Sir R. ASSHETON CROSS: From the pulpit.] Yes; from the pulpit. In his opinion, it would not. If a clergyman said to his congregation—"It will be sinful for you to vote for Mr. Bradlaugh," he should not for a moment contend that that clergyman would be guilty of undue influence. The hon. and learned Gentleman the Member for Launceston (Sir Hardinge Giffard) had put a similar question. Let him (the Attorney General) ask the hon. and learned Gentleman whether he would like that rule to be applied to clergymen of the Church of England? If Lord Fitzgerald, in the Judgment to which attention had been drawn, had meant to say—as he (the Attorney General) did not believe he did—that an exhortation on the part of a clergyman to his flock, without any threat, simply not to vote for a particular candidate, was undue influence, he did not agree with him. They could not apply Lord Fitzgerald's words in the abstract, but must take them as referring to absolute denunciation and refusal of the Sacraments—["No, no!"] Well, he did not go into the exact words of Lord Fitzgerald; but he would say that if that sentence stood by itself—namely, that a clergyman said it was a sin for a person to vote for such or such a candidate—to his mind it would not amount to an undue influence. His argument would not apply any more to a clergyman than to a layman. He would not put a penalty on a clergyman merely because he was a clergyman, although he quite recognized the fact that it might be more the duty of a clergyman than anybody else to point out any conscientious objection that might be taken to the support of the candidature of a certain individual. The clause did not draw any distinction between clergymen and laymen, and did not put any special prohibition upon a minister of religion. With regard to the second question asked by the right hon. Gentleman opposite—namely, the difference which would be effected in the law by the proposed Amendment, if the right hon. Gentleman meant to put a hard-and-fast construction upon the words of Lord Fitzgerald in the Judgment referred to, no doubt there might be some question as to whether a statement to vote for a certain candidate was a sin that might be looked upon as a corrupt influence; but, apart from that, it appeared to him that the Amendment made no alteration whatever in the law.

MR. PARNELL said, the hon. and learned Gentleman was referring to his observation with regard to Lord Fitzgerald's Judgment; but the definition in that Judgment he (Mr. Parnell) had only repeated so far as he recollected it from memory.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that if the hon. Member for the City of Cork took Lord Fitzgerald's definition he would be worse off than he was at present. When the Act of 1854 was passing through Committee, a Member had asked how a voter was to be protected against the exercise of undue spiritual influence; and Mr. Walpole had said that that point was covered by the words "in any other manner," and he added that that view was entertained by Sir Fitzroy Kelly. Several hon. Members of the Conservative Party were of opinion that those general words would not suffice; and Vice Chancellor Malins had proposed these very words on behalf of the Party —namely, "spiritual or temporal loss or damage;" he had proposed them because they were more certain than the general phrase. These words were believed to be more specific for the purpose of controlling spiritual intimidation than the general words. No doubt, the spiritual loss which was meant to be covered in that way was such a thing as the refusal of communion, or the refusal to baptize a child—things which obviously did not entail a money loss, but were yet a deprivation of advantages to which a voter might consider himself entitled. The words ought to be taken in that sense, and should not be taken as condemning the practice of bringing men's minds under the influence of religion. Anyone had a perfect right to endeavour, by fair argument, to influence a man's action, whether as an elector or otherwise; but it was a loss to a man, and a spiritual injury, to deny him the Sacraments of his Church; and such denial, therefore, would come under the Amendment. Certain Members of the Committee had contended that this was an invidious attack upon the clergymen of the Church of Rome; but where, he would ask, was there a single word in the Amendment or the clause about the clergymen of the Church of Rome? There was no word in either the Amendment or the clause relating to the clergymen of any Church. Why did hon. Members assume that this was an attack on the Church of Rome?

MR. MARUM: From experience.

THE ATTORNEY GENERAL (Sir HENRY JAMES): What, experience of this clause?

MR. MARUM: No; the experience of history.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the hon. and learned Member for Kilkenny charged the Government with making an attack upon the Church of Rome; and the hon. Member for the City of Cork said that if the Irish Members did not protest against this attack, it would be said that they had not protected the interests of their Church. In reply to that, he could only say that the proposal was not directed against the Church of Rome. It was intended to make it applicable to every Church, and to every clergyman, and to every layman.

SIR R. ASSHETON CROSS asked whether he was to understand that no threat of punishment in a future world, in consequence of a certain line of action at an election, was to come within this new law as undue influence? The words "intimidation" and "undue influence" were well known to the law. Hon. Gentlemen would remember the discussion which had taken place upon the word "intimidation" upon the Masters' and Servants' Bill some eight years ago. The words "violence" and "intimidation" had then been used; and the whole argument had turned, not upon the question of the threats a person might use, but upon the question of the effect they might have upon the mind of the person to whom they were addressed. In that case they were discussing the effect intimidation would have upon the mind of the working man, and intimidation was eventually put into the Statute under conspiracy, yet the thing was well known to the law. Let them take the case of a Roman Catholic priest, or a clergyman in the Church of England—for he wished to make no distinction between the ministers of different religions—and suppose either of these used his position to bring spiritual influence upon a voter, his action could not for a moment be compared to that of a layman. A clergyman might say—"I use my spiritual power over you. I exert my influence as your spiritual adviser, and I say to you that if you vote for that man I will excommunicate you from the altar." [An. hon. MEMBER: No clergyman could do that.] That is what the Roman Catholic priest could do. [Mr. LEAMY: No, no!] At any rate, it was what a Roman Catholic priest was supposed to be able to do. If the clergyman or minister of religion was a Catholic, he could say that; and if he was a Nonconformist, he might use other words, and adopt another course which might, practically, have the same effect upon the mind of the voter. What he (Sir R. Assheton Cross) wished to know was simply this—whether or not a threat of punishment in a future state, in consequence of a vote, would be held, under the Amendment, to be undue influence?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the point raised by the right hon. Gentleman seemed to be somewhat casuistical and metaphysical. It was difficult to draw a distinction between a threat and a warning; but his view was that while a clergyman might say—"If you vote for a particular man that is a sin," it would be a breach of the clause to say—"If you vote for him I will excommunicate you."

LORD RANDOLPH CHURCHILL said, he thought the Attorney General had got himself into an awkward dilemma by introducing these words. The more he listened to the discussion the more he saw that the hon. and learned Gentleman, instead of keeping within the region of practical law-making, had wandered away and lost himself in the region of metaphysics; and he was inclined to doubt whether the Committee was in a condition to discuss this question. The hon. and learned Gentleman was in such stress that he was driven to resort to a question which, coming from any other man, he would have considered disingenuous. He had asked where was there a word in the clause about clergymen? That was a most extraordinary question. The whole difficulty in the clause arose from the fact that clergymen of the Church of Rome did, and very rightly, exercise a power far greater in regard to voters during Parliamentary Elections than clergymen of the Church of England or Nonconformists. It was their duty to do so, and that question of the Attorney General's proved what an extraordinary difficulty he was in. The whole thing turned on the clergymen of the Church of Rome, and what they could do and had to do. He would ask the Committee to follow the Attorney General in the argument he had endeavoured to put forward. The hon. and learned Gentleman said it was not an exercise of undue influence for a clergyman to say from the pulpit—"If you vote for such and such a man you will commit a sin;" and the inference, therefore, followed that if a clergyman told a parishioner that his vote would bring upon him punishment in a future world, that, according to the Attorney General, would not be "undue influence." That theory might be enlarged upon by an eloquent clergyman. The Attorney General said a clergyman might do that; but he must not threaten to excommunicate the man, or refuse him the Sacrament. An English Churchman, like the Attorney General, of course, did not recognize excommunication; but in the Church of Rome it was not an uncommon thing, and the refusal of the Sacrament was a very common thing among the Irish people. One of the strongest holds they had over their fellow-parishioners was the power of refusing the Sacrament. The expression "being in a state of sin" was very common in the Roman Catholic Church; and if a priest told a man that if he voted so and so, was he bound not to give the man warning that if he continued in that state of sin he would be deprived of the rites of the Church? A letter had recently come from the See of Rome denouncing, in the strongest language, a certain political Party in Ireland; and that letter must exercise a strong effect upon a moiety or two-thirds of the Roman Catholic clergy. There were two schools of Roman Catholic clergy in Ireland; one headed by Archbishop Croke; the other headed by Archbishop M'Cabe. This matter was likely to become a burning question; and suppose Archbishop M'Cabe wrote a letter to the priests in his diocese telling them to warn their congregations, in the strongest manner in their power, against voting for any Member of the Irish Party, and, if necessary, to refuse the rites of the Church to any who did so vote, the Archbishop would be acting strictly on a letter with which the Government were not altogether unconnected. See what a difficulty the Archbishop would be in. He would be justified in telling the priests to warn their flocks from the pulpit that they would be committing a sin if they voted for Mr. Parnell, and would be refused the Sacrament. On the other hand, Archbishop Croke might issue a Circular to the opposite effect, warning every voter by post that if he voted for the National Party he would be in a state of sin, and, therefore, would have no right to the Sacrament. He did not think the Attorney General could get out of that desperate dilemma—a dilemma which, if these words were put in the Bill, would hopelessly perplex the minds of the Irish Judges; and if the hon. and learned Gentleman had any regard for the peace of mind of candidates he would not adhere to the words.

MR. LABOUCHERE said, all these fine definitions raised by hon. Members showed that the best course would be to leave these words out of the clause. He should not follow hon. Gentlemen who had preceded him in the field of metaphysics, nor the noble Lord in the religious feelings he had displayed; but he would simply point out this. The Attorney General had stated that, if Church membership or the Sacrament was refused, the person refusing it would come under this clause. What would be the effect of refusing the Sacrament? As he understood, it would be a temporal injury. If it were a spiritual injury, the refusal would come under this clause. There was a certain vagueness in the definition of the Attorney General. The words were—

"Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restrain, or inflict or threaten to inflict, by himself or by any other person, any temporal or spiritual injury,"

and so on. Could the hon. and learned Attorney General say what indirect spiritual injury was? No doubt, he would say he could not define everything, and that they must leave everything to the Judges; but he objected to that when there were certain penalties to be inflicted. He wanted things made clear and distinct; and if the hon. and learned Gentleman brought in a Bill, and said the words were such that he could not define them, and must leave them to the Judges, that was the wrong way to legislate. The Attorney General would attack superstition; but he did not think they ought to attack superstition by legislation. They ought to leave that to improved education and other means. The hon. and learned Gentleman had alluded to the borough of Northampton. In that borough, as he understood the hon. and learned Gentleman, if anyone said it was a sin to vote for A or B he would not come under the clause; but that if he accompanied that statement with a denunciation he would come under the clause. That being so, the Attorney General, who was there to explain the law, should say specifically what would bring a person under the clause, and what would not.

SIR R. ASSHETON CROSS said, he wished to ask the President of the Local Government Board (Sir Charles W. Dilke) a question. On Friday last the Attorney General and the right hon. Member for Birmingham (Mr. Chamberlain), the Solicitor General, and the President of the Local Government gave their opinions upon this question. He wished to ask the right hon. Gentleman whether his opinion was the same now as it was then; and, if so, how he could reconcile it with the Attorney General's? The right hon. Gentleman quoted Mr. Justice Fitzgerald, and what he said was that—

"A priest might counsel, advise, or recommend and entreat, and explain why one candidate should be preferred to another, and if he thought fit might throw the whole weight of his character into the scale."

That was reasonable; but he added—

"But he may not appeal to the fears or terrors of superstition to the person whom he is addressing."

That was an important point.

> "He must not hold out hope of reward here or hereafter, or use threats of temporal injury, or disadvantage, or punishment hereafter. He must not, for instance, threaten excommunication, or the refusal of the Sacrament; nor must he denounce a vote given for a particular candidate."

Hon. Members would see that all through the decision of Mr. Justice Fitzgerald, and all through the speech of the right hon. Gentleman, a distinction was clearly drawn between temporal advantage or disadvantage, and threats of advantage or disadvantage hereafter in another world. Then the right hon. Gentleman said that, in his opinion, it was impossible to lay down more clearly what the law ought to be; and he now wanted to ask the Attorney General whether his new clause did lay down the law more clearly, and the right hon. Gentleman whether he had changed his mind?

Sir CHARLES W. DILKE said, he had not changed his mind. The Attorney General had distinctly stated just now that the effect of the Amendment would be to carry out the principles of the Judgment referred to, with the one exception of the word "sin." He had answered the right hon. Gentleman by anticipation, and stated that upon that word he did not agree with Mr. Justice Fitzgerald.

Sir R. ASSHETON CROSS said, the whole question was as to punishment hereafter; and what he and his hon. Friends wanted to know, and were determined to ascertain, was whether a threat of punishment or a promise of a reward in the world to come would come under this clause? "Yes" or "No."

Mr. T. P. O'CONNOR said, he would invite hon. Members to reconsider their intention to support the action of the Attorney General by the light of the declarations now made by the hon. and learned Gentleman. The reasons why the Irish Members were pressing the Government upon this clause were, first, that there was no instance of an election being voided in England or Scotland on the ground of undue spiritual influence; and he did not think the Attorney General was dealing candidly with the Committee when he said the clause contained no words with regard to clergymen of the Roman Catholic Church. Everybody knew that this clause was mainly, if not entirely, directed against them—at all events, the clause would, in practice, operate solely against the Roman Catholic clergy. The second reason why they had a particular claim on this matter was this—whenever an election took place in Ireland, or during the course of an election, there was a meeting of the clergy of the constituency, especially in the case of a county election. They passed before them the names of particular candidates, and selected one; and the candidate they selected was usually on the popular side. There were exceptions; but the popular candidate and the clerical candidate were usually the same. Under the Law of Agency, as laid down by the Judges, every one of those clergymen would become an agent of the candidate selected. Nearly every clergyman took an active part in an election; and under this law the candidate would become responsible for every speech and word of every clergyman, on the platform or in the pulpit, during the contest. Therefore, were hon. Members not justified in hedging round a clause of this kind in every possible way? He invited the attention of the hon. Member for Wolverhampton (Mr. H. H. Fowler) to this. On Friday he said that the point at issue between himself and the Attorney General was this—he did not mean that a clergyman should be prevented from using general spiritual influence; but they parted company in this way—he said spiritual general influence was legitimate; but the remust not be that influence accompanied by any immediate and definite punishment in the shape of deprivation of the Sacrament. The hon. Member would not object to a priest being allowed to say—"If you vote for such and such a candidate you will be committing personal and national and political sin;" but when a clergyman said a voter would commit sin by taking such and such a course, he implied that the voter would thereby imperil his prospects for ever in the world to come. That was a corollary. If the hon. and learned Member was consistent with his own proposal, a clergyman should be allowed not only to declare that such a vote would be sin, but that such a sin would be followed by consequences. But the Attorney General did not take that view; but that the priest should be permitted to say that such and such a course would be a sin. [The ATTORNEY GENERAL (Sir Henry James): I did not say that.] The hon. and learned Gentleman said the law remained as it was, except as to this question of sin and the punishment of sin. If that was so, then the law stood as it was when Mr. Justice Keogh gave his Galway Judgment. Mr. Justice Keogh cited Sir Samuel Romilly, to the effect that undue influence would be used if ecclesiastics made use of their power to excite superstitious fears or pious hopes; if they sought to alarm consciences by the horrors of eternal misery, or supported drooping spirits by unfolding a prospect of happiness which was never to end. He submitted that what the Attorney General said would be lawful would be unlawful if Sir Samuel Romilly was correct. Sir Samuel Romilly's *dictum* was adopted by Mr. Justice Keogh, and that was now part of the law of the land. For these reasons, he held that the hon. Member for Wolverhampton was bound to join the Irish Members.

SIR R. ASSHETON CROSS said, he wished to ask the Prime Minister whether threats of a spiritual adviser, of punishment or promises of reward in a future world, in consequence of a vote given at an election, was to be deemed undue influence or not?

MR. GLADSTONE said, he would gladly have left the discussion of this question in the hands of those who were much more competent than himself to deal with it; but he had to thank the right hon. Gentleman for saying he pressed this question upon him because he recognized him as an authority. He should be willing to answer the right hon. Gentleman's question, if he did not think the matter had been explained by the Attorney General. The Attorney General was asked what he wished and desired; and he would answer in the exact sense of his hon. and learned Friend, and in a sense which he hoped would be perfectly clear. The hon. and learned Gentleman had said it must remain free to every clergyman and every minister of religion, as to every layman, with the authority which his office gave him, to point out to a member of his flock that if he took such and such a course under given circumstances that would be a sin. He agreed with his hon. Friend behind him as to the general rule of prudence and propriety against introducing this clause; but that was not the question. The question was not what was prudent and proper, but what would come within the law. Again, the right hon. Gentleman asked—"What is to be the case if a clergyman carries his views to the other world, and speaks of the after reward?" The hon. Gentleman the Member for Galway (Mr. T. P. O'Connor) had provided a perfectly distinct answer to this question. It was quite impossible to say to the clergyman —"You may point out to your flock the proper action to take, and yet not be able to tell them the penalties, or to point out the consequences of sin." It was quite manifest, therefore, that, so far, this Act *per se* could not bring a clergyman within the scope of the Act. What would happen if violence and denunciatory language were used would be quite in another province, and he would not enter upon it. He accepted in full the statement of the hon. Member for Galway that they could not possibly forbid a clergyman to point out that such and such was a sin, without *ipso facto* allowing him to point out the consequences of the sin.

MR. GIBSON said, that on the last occasion that this matter was under the notice of the Committee it was stated, in the clearest possible way, by the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), that the Government rested their case in reference to the construction of the doctrine of undue influence upon a passage of the Judgment of Mr. Justice Fitzgerald in the Galway case. That passage was of the broadest possible character, and it recommended itself very forcibly to the Government—at least, the right hon. Gentleman (Sir Charles W. Dilke), in a very short and logical speech, so represented that view to the House. The Attorney General followed, and stated that although he would place, if he could, on the Notice Paper of today a definition of undue influence which would cover spiritual influence, he did not recede in the slightest degree from the principle which, in substance, he had previously laid down, and he did not intend to effect the slightest alteration in the law as laid down by Mr. Justice Fitzgerald. If the right hon. Gentleman questioned what he (Mr. Gibson) was saying, he would make way for him; but he was speaking from his recollection. His hon. and learned Friend the Attorney General spoke at the close of the debate on Friday, after the speech of the President of the Local Government Board; and the Attorney General stated that although he would apply himself to the difficult task of defining spiritual undue influence, he wished it to be distinctly understood he had made no change in the substance of his opinion, and he did not intend to alter or to change the law. Well, more recently—within the last 10 months—the attention of the Government had been challenged to the passage in Judge Fitzgerald's speech in which those words occurred, in which it was set forth that it would be wrong for a clergyman to appeal to the fears, terrors, and the superstitions of his audience. Now, he begged the Committee to dwell for a moment upon these words; and he asked if it was intended to seek to qualify the word "superstition," and to use the Prime Minister's expression—sin, and the consequences of that particular sin? Was it intended also to qualify the clear words of Mr. Justice Fitzgerald—that it would be undue influence for a clergyman or for anyone to appeal to the fears, or the terrors, or the superstitions of an audience? Now, that was a clear question. That was one of the most marked passages of Mr. Justice Fitzgerald's Judgment. If he was told that it was intended to retain these words, he would then ask—how was it possible to retain such words, and, at the same time, give a grammatical and logical construction to the statement just now made by the right hon. Gentleman the Prime Minister that the pointing out of the consequences of sin would not in itself constitute undue influence, because it might be that if they told a man he sinned, and pointed out the consequences of his sin, they would appeal to his fears, his terrors, and his superstitions, and they would come within the Judgment delivered by Mr. Justice Fitzgerald, which had been described as a broad and statesmanlike judgment. He would like to know, with something like precision, exactly how much of the Judgment of Mr. Justice Fitzgerald was now adhered to by the Government? Did they seek to strike out any word except sin; and did they still adhere to as much of the Judgment which he had particularly called attention to—namely, the appealing to the fears, terrors, and superstitions of an audience?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, they had had a good many questions directed to them, all of which they had endeavoured to answer. He thought now they had a right to ask the Opposition what they desired the law to be? His right hon. Friend the Prime Minister had distinctly pointed out what he considered would come within the clause now drawn. Supposing a clergyman of the Church of England said to one of his congregation, or to his congregation as a whole, that he honestly believed that if a member of his congregation voted for a particular individual he would be guilty of a sin. Let them take the case, for instance, of the hon. Member for Northampton (Mr. Bradlaugh), because one could easily see that there were some clergymen who would regard it as a sin to vote for that hon. Gentleman. They would say—"It is a sin; and for that sin you will have to suffer, as for all your sins." Did hon. Members mean that that ought to be made an offence? He (the Solicitor General) admitted, if it ought to be made an offence, they were not making it an offence by this clause. Personally, he did not consider that it ought to be made an offence.

SIR R. ASSHETON CROSS wanted to know why they (the Government) brought in their Bill? Why did they bring their Bill in last year, and state that after considering all the Amendments they were satisfied with it? They had had two years to consider their Bill, and now they were arguing against it, and not against any Amendment. The Prime Minister had now said that unless they inflicted some temporal injury upon a clergyman, that clergyman might denounce a man from the altar. All he (Sir R. Assheton Cross) could say was that, if they were going to alter their Bill in this way, it would be a long time before it passed into law.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, when he rose a few minutes ago he reminded the Committee that the Government had answered a great many questions, and he put one question to the right hon. Gentleman opposite (Sir R. Assheton Cross). The right hon. Gentleman, however, did not get up and answer the question; but he rose and put another.

SIR R. ASSHETON CROSS asserted that he answered the question distinctly, for he had argued that they ought to leave their own definition of the clause alone.

MR. EDWARD CLARKE said, he did not want to trespass long upon the time of the Committee, because he was anxious to go to a division, and to vote in favour of the proposal of the Attorney General. It seemed to him that the discussion had a good deal wandered from the real question, which was, whether the words "temporal or spiritual injury" were to be included? If they were not, the whole matter was left at large. Personally, he was of opinion that some reference to spiritual injury should be put in the clause. He thought it was necessary to put it in, for the purpose of covering the refusal of the Sacraments of the Church, or a refusal of the advantages connected with membership which would be a threat, which a great many Judges would properly hold not to be a threat of temporal injury. A great difficulty was imported into this discussion, in consequence of the unfortunate Judgments of Mr. Justice Fitzgerald and Mr. Justice Keogh. He (Mr. Clarke) confessed that he did not think that these Judgments were strictly in accordance with law; and he considered that a great deal of difficulty had occurred here, in consequence of those Judgments being taken as part of the law. He was entirely agreed on this matter with his hon. Friend the Member for Wolverhampton (Mr. H. Fowler), and with what he thought was the intention of the Prime Minister. It was perfectly idle to say that a minister of religion should not be able to tell his flock that it would be a sin to vote for a particular candidate. If a clergyman thought it was a sin to vote for a particular candidate, it was not only his right, but it was his duty to tell them so, inasmuch as he was responsible for the spiritual welfare of his flock. It was equally idle to say that a clergyman might tell his flock it was a sin to vote for a particular candidate, and yet not be allowed to tell them what were the penalties which, in his judgment, would follow. At the same time, if a clergyman exercised his own personal authority in the Church to which he belonged, so as to expose the person who disobeyed his will to the public stigma of being excluded from the advantages of the Church, then he would be using pressure which could be reached by the law. On the other hand, he had sufficient belief in the beneficent influence of the Churches upon the minds, consciences, and actions of men, to prefer to leave undisturbed by any legislation the appeal which any clergyman of any denomination might make to what were termed the terrors, fears, and superstitions of men, but what were really the highest principles known as a guide of human conduct. Under the circumstances, he hoped the words "temporal or spiritual" would be retained. If they were omitted it would appear to him to be casting away all reverence for authority on spiritual matters. He should be sorry to see that authority disregarded; for he believed it to be for the general welfare of the world that the Church, in its spiritual sphere, should exercise the fullest authority over the minds and consciences of men.

MR. JOSEPH COWEN asked the hon. and learned Gentleman the Attorney General if he would define what he meant by indirect spiritual influence? Personally, he considered it absolutely impossible to define it. They did not legislate against superstition, but they tried to eradicate superstition by education; and if the Attorney General would define what he meant by indirect spiritual influence, then they would understand the matter. If he did not provide that definition, he left the question in the same state of uncertainty in which it now existed.

MR. STANLEY LEIGHTON said, there were two classes of spiritual influence used in this country—namely, the Nonconformist spiritual influence and the Roman Catholic spiritual influence. They, of course, all knew that spiritual influence in the Church of England was never exercised at all. He understood that this Bill was intended to strike a blow at the Roman Catholic spiritual influence, while it was intended to maintain Nonconformist spiritual influence; because the latter was the spiritual influence which always acted in favour of the Government, while the Roman Catholic spiritual influence was, as a rule, used against the Liberal Government. The Attorney General had pointed to the refusal of the Sacraments, to excommunication, and to other matters as specimens of undue influence. What about Churches which had no Sacraments, and Churches which did not excommunicate? They would not be touched. It was a well-known fact that Nonconformists used their chapels for political purposes; but the Attorney General argued that preaching against any candidate was a fair and due exercise of spiritual influence. But he failed to see that there was any real difference in principle between cursing from the altar and cursing from the pulpit. He (Mr. Stanley Leighton) could not regard this Bill otherwise than as a flagrant attempt of the Government to forward their own particular ends and aims.

Mr. PARNELL said, the Attorney General had placed them in a difficult position; and the position was shortly this—they had based their case all along upon the desirability of inquiring the definition of undue spiritual influence. The Attorney General appeared to meet them on that point, and said he would place in the Notice Paper an Amendment defining undue spiritual influence to-day. They saw that Amendment on the Paper; and he (Mr. Parnell) was informed by his hon. and learned Friends that the question of undue spiritual influence was left by the Amendment very much where it was before. The hon. and learned Attorney General, in the course of that evening, had admitted that the law with regard to undue spiritual influence would not be altered by the Amendment; and yet he absolutely appeared to represent, or to wish the Committee to believe, that it was offering them a concession to widen the definition, when, as a matter of fact, it was practically leaving the law exactly as it now stood. But when they pointed to the definitions of Sir Samuel Romilly Mr. Justice Fitzgerald, who were quoted with approval by hon. Gentlemen on the Government Benches, when they pointed out those definitions, and asked the Government whether, in view of those definitions, the Amendment would coincide with them, and with the Judgment of Mr. Justice Keogh, they were told by the Prime Minister and by the learned Solicitor General that it was not so. It was argued that a question of undue influence should not be complicated by any reference to sermons or speeches made by clergymen, in which they would hold out the perils of the future state, or use religious influence of this kind upon their congregations. The Committee really wanted to know where they were? The Attorney General for England said the law was not altered by his Amendment, while the right hon. Gentleman the Prime Minister and the Solicitor General for England maintained that the law would be altered, since the law would not be according to the Judgments already referred to. The Government, so far as the Prime Minister and the Solicitor General went, agreed—that was to say, they agreed—with the Amendment which he (Mr. Parnell) should propose a little later on. If that substantial agreement had been arrived at, why should it not be placed upon the Statute Book, and so free the exercise of political rights and duties by clergymen of the Catholic Church in Ireland from the perils which surrounded it? He had said that they did not adopt an unreasonable attitude in refusing to accept the concession of the Attorney General, which he admitted to be a concession with regard to undue influence from a temporal point of view; but which did not affect the case from a spiritual point of view.

Sir HARDINGE GIFFARD said, he wished to remind the Committee that it was distinctly understood that the Amendment of the Attorney General would be one of definition and not of alteration. Now, the two Law Officers of the Crown admitted that the law as expounded would be altered by this Amendment.

The ATTORNEY GENERAL (Sir Henry James) said, he was sorry his hon. and learned Friend (Sir Hardinge Giffard) did not give the Government credit for having endeavoured to make an improvement. The words complained of were "or in any other manner practises intimidation," and it was feared that injustice would be done in consequence of the vagueness of the words. It was now said that the Government had stated that the law was not altered. If the words were to be construed strictly, it was not an offence to tell a person it was a sin to vote for a certain candidate. The exposition of the law was not the law; the law depended upon itself; they must look to the Statute itself, and see what the law was. The Government really believed they were adhering to the substance of the law.

MR. O'DONNELL said, that according to the view of the hon. and learned Gentleman it would not be an offence for a clergyman to state to an elector his opinion that voting for a candidate, under certain circumstances, would be a sin. But he went on to say that if the clergyman proceeded to denunciation the offence of undue influence would arise. But what was denunciation? The only answer they could get from the Attorney General was that it was what the Judge would consider to be denunciation. And there, again, they were referred back to the opinions of ex-Attorney Generals, whom Her Majesty's Government might, for Party purposes, raise to the Irish Bench. They were, therefore, in the same position of uncertainty as to the meaning of denunciation as they were before. The Committee ought also to remember that there were distinctions which should be borne in mind with reference to the interference of the Catholic clergy at elections. There were certain offences, certain sins, which by the law of the Catholic Church necessarily brought with them excommunication. For instance, a project of law confiscating Church trusts might, to its supporters, involve a sin of a charater which drew excommunication with it. Well, they had there a case in which advice to an elector on the part of a Catholic clergyman not to vote for a candidate who supported this project of law would be an offence of the kind. It would carry with it the penalty of undue spiritual influence, although the clergyman might make the declaration entirely without any collusion, and purely as a minister of the Church; but in that capacity he would disqualify the candidate for Parliamentary election, because it would be regarded undue influence in the mind of the Judge. Therefore, he said, that the whole difficulty with regard to spiritual influence remained; and he was afraid that if the Government persisted in refusing to accept any kind of Amendment to this part of the clause, Irish Members would be driven to the course of enacting greater guarantees in the case of the tribunals which would have to try these cases of undue influence. If the Government would not guard against the prejudiced actions of ex-Attorney Generals raised to the Bench in Ireland, why, then, at a later stage of the Bill, they would have to oppose even more strongly the power to be conferred upon them; and they would have to insist that instead of a tribunal of two Attorney Generals raised to the Judgeship there should be a Court so constituted that the number of its members would afford greater guarantees for impartiality. Again, ministers of the various English Churches did not exercise, were not called upon by their religion to exercise, and were not empowered by their religion to exercise, the right which belonged to the Irish Catholic clergy; and, moreover, English Members of Parliament were not liable to be tried before a tribunal which was comparatively impartiality as compared with the tribunal before which Irish Members were to be tried; so that the scales on both these points were unfairly weighted as against Irish Members. Under the circumstances, it was obvious that the satisfaction which the Government denied to them in one part of the Bill must be sought at another. The words made use of by the Government, although apparently implying concession, would only lead to greater difficulties at the later stages of the Bill. For his own part, he considered that every enormity of the Keogh Judgment was just as possible under the Amendment as it was before. The hon. Member for Northampton (Mr. Labouchere) admitted that the term "law" meant the interpretation of the law by the Judge; it meant, in other words, that the clause was open to any amount of interpretation and misreading by an Attorney General who had won his way to the Bench by violent partizanship.

MR. LEAMY said, that the Amendment of the Attorney General had been framed in such a way as to include spiritual intimidation. The hon. and learned Gentleman had said, in reply to the hon. and learned Member for Launceston (Sir Hardinge Giffard)—"My Amendment adopts the words used in 1854 when the Corrupt Practices Bill was passing through the House." He (Mr. Leamy) was surprised to hear the challenge which came from the hon. and learned Gentleman.

DR. COMMINS said, that the objection which his hon. Friend the Member for the City of Cork made to the clause was that undue influence was interpreted in Ireland in a different way from that in which it was interpreted in England. He thought with regard to Ireland that he was right, after the admissions of the Attorney General and the Solicitor General, in saying that the Judgments of Judges Fitzgerald, Lawson, and Keogh were not only contrary to the intention of the Act, but contrary to common sense. If it was intended to create a new offence they were entitled to know what that offence was. He and his hon. Friends had pointed out, in the course of the discussion, that almost any declaration of opinion made by a priest in Ireland would be considered by the Irish Judges as undue influence. Now, the Attorney General had gone a good way to make a concession; he had eliminated one particular interpretation of the law which was objectionable—that laid down by Mr. Justice Fitzgerald. But he must say that the hon. and learned Gentleman had hardly made the matter any better, because he had retained the words "spiritual injury, harm, or loss." Would not the Judgment of Judge Fitzgerald in the Longford case, that of Judge Lawson in the Galway case, and of Justice Keogh in the other, all be appealed to as interpretations of spiritual injury. Every one of them could be so appealed to; and, therefore, all the difficulties which they were now trying to guard against would come up again under the interpretation of spiritual injury, harm, or loss. Undue spiritual influence, as interpreted by these Judges, was quite as objectionable as the definition of the offence they were now trying to get rid of. The Attorney General had promised something more definite; but up to that time Irish Members had obtained nothing of importance. He entirely dissented from the law as laid down by the Attorney General, who said that the Judgment of a Judge went for nothing in interpreting an Act of Parliament. He (Dr. Commins) thought it went for everything, and particularly in cases where there was no appeal. And he feared that, notwithstanding the concession which had been made, the interpretation of the law as laid down by the Judges named would hold good. For these reasons they still proposed to get rid of this clause; and unless their point was conceded he feared that little further advance would be made.

Mr. CALLAN said, he thought it was to be regretted that the question before the Committee, with respect to what was called spiritual intimidation, should be in the hands of the present Attorney General. It was most unfortunate, for the conduct of the question in an impartial spirit, that the Attorney General should have charge of this clause. On any other matter connected with the offences in the Bill—such as treating, bribery, and corruption—he should not have felt the same objection. With regard to spiritual influence, the hon. and learned Gentleman knew nothing except what he had learned from the Judgment of Mr. Justice Keogh. He referred the Committee to the speech made by the hon. and learned Gentleman on the 25th of July, 1872, on the Motion of the late hon. and learned Member for Limerick (Mr. Butt) with regard to the Judgment of Mr. Justice Keogh. He found that the Attorney General then said—

> "I charge the Roman Catholic clergy of the county of Galway that they, with plot and plan, with premeditation and consideration, determined to usurp and seize upon the representation of that county . . . . . and set at defiance the rules and ordinances of their own Church."—(3 *Hansard*, [212] 1820-21.)

A contest was now impending in Ireland, and to-morrow there was to be a meeting of priests at Monaghan, not as priests, but as electors, to consider the claims of the rival candidates. The Government had sent over the hon. Member for Tyrone (Mr. T. A. Dickson) to secure the election of the Government candidate by means of this meeting of priests; and probably the Papal Envoy had furnished him with a number of Circulars for distribution at the same time. Now, what did the Attorney General say in 1872? He said—

> "I complain, that men who are not electors should hold private meetings, from which the public are excluded, and at such meetings they, acting as clergymen and not as citizens, should combine to dictate to men who are electors how their votes should be given."—(*Ibid.* 1823.)

And then the hon. and learned Gentleman went on to lay down that this was spiritual intimidation. Under the circumstances, he was not surprised to-day to hear that the Attorney General declined to give any definition of the term spiritual intimidation. But the Committee must judge of what his idea of the offence was by the speech to which he was now referring. The hon. and learned Gentleman proceeded, in the course of his speech, eloquently to denounce spiritual intimidation at a meeting of what he called "this proud priesthood." He hoped the Monaghan priests would remember to-morrow what the Attorney General had said. He promised to pay great deference to the opinion of the hon. and learned Gentleman when they came to the question of bribery, treating, and corruption. But, with regard to the question immediately before the Committee, he again expressed his regret that it should have been placed in his hands.

Question put.

The Committee *divided* :—Ayes 254; Noes 43: Majority 211.—(Div. List, No. 141.)

MR. PARNELL said, he thought an Amendment he had to move would probably come in now before either that of the hon. Member for North Warwickshire (Mr. Newdegate), or that of the hon. and learned Member for Kilkenny (Mr. Marum). The Amendment to which he referred was in the shape of a Proviso at the end of the section. He proposed to move the words—

> "Provided, That spiritual injury, damage, harm or loss, under this section, shall mean excommunication, or withholding or refusing the rights or sacraments of any Church."

THE CHAIRMAN: Does the hon. Member propose to amend the proposed Amendment?

MR. PARNELL: Yes; I propose to add these words as a Proviso to the end of the Amendment.

MR. GORST rose to Order. He wished to know whether it would not be proper for the words of the Attorney General to be first inserted in the clause? If that were done, the hon. Member would be in Order in moving his addition.

THE CHAIRMAN: No doubt that would be the more proper course.

MR. RAIKES said, he would ask the Chairman whether it was not the general practice of the Committee, when it was proposed to add words to an Amendment, to put the Question in this form—"That these words be added to the Amendment?" It was competent for the Committee, if they liked, to consider such a proposal as a separate Amendment; but he wished to ask whether it was not the general practice, when words were proposed as a rider or Proviso, to put them as a part of the Amendment?

THE CHAIRMAN: I have not yet had the advantage of hearing the words; and, therefore, I am unable to decide the point raised by the right hon. Gentleman.

MR. PARNELL said, he thought these words might be moved either as a Proviso or as a separate paragraph, as suggested by the right hon. Gentleman (Mr. Raikes). So far as he was concerned, he was perfectly ready to adopt whatever course was most convenient to the Committee.

MR. CALLAN rose to Order. He wished to know whether, if the Committee accepted the Proviso, it would be competent for any hon. Member to move an Amendment after the words "temporal or spiritual" upon which they had just divided? Anyone who had an Amendment to move to the clause proposed by the Attorney General should direct attention to it before the addition of a Proviso was suggested. [*Cries of* "Yes!" *and* "Go on!"] Then he should wish to move, in line 7, to leave out the words "fraudulent device or contrivance," which was an extremely wide phrase. The Committee, so far, had received no explanation of what was meant by "fraudulent device or contrivance." He had known an invitation to be sent—in fact, he was free to confess that he had advised the sending of invitations—to parties at a distance to bring them out of the county in order that they might not vote, or be in the district in which the election was taking place at the time of the election. It was a hospitable device. In that way electors were taken upon a pleasure excursion. Some of them might have disease of the heart, and an excursion of that kind might save them from fatal consequences at an election. He wished to know what the hon. and learned Gentleman the Attorney General meant by these words which he (Mr. Callan) proposed to leave out? The phrase, as he had said, was a very wide one, almost as wide as spiritual intimidation.

THE CHAIRMAN: Does the hon. Member move to omit the words?

MR. CALLAN: Yes; I move, in line 7, to omit the words "fraudulent device or contrivance?

Amendment proposed to the proposed Amendment, to leave out the words "fraudulent device or contrivance."—(*Mr. Callan.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that these words were in the Statute of 1854. They were in contradistinction to the use of absolute force. They were also in the Amendment of the hon. Member for the City of Cork (Mr. Parnell).

MR. CALLAN said, he should not so much object if these words were extended to the ordinary practices of life, or to many things that existed in that House. As hon. Members were aware, there were many things stated which were not the facts; and would they, he asked, penalize a candidate for telling an elector on the day of the election that his presence was required elsewhere—would they, for such a statement, penalize a candidate to the extent of never allowing him to sit for that constituency? He would put it to the Committee whether an offence of this kind was one deserving such heavy punishment? It would come to this—that they would incapacitate a man from sitting for a certain constituency merely for telling a lie. He should have no objection to the proposal if it were held that anyone sitting on the Treasury Bench who had ever told a lie should be incapacitated from sitting in that quarter of the House. To his mind, the offence of telling a lie on the part of an occupant of the Treasury Bench was far more serious than it would be in the case of a candidate; and it seemed to him that the Attorney General's explanation merely turned the Amendment into a farce. It was no use penalizing untruthfulness, which was an increasing sin everywhere. He did not know that that House was a striking exception to the rule. In public life, men holding official positions were held to be guiltless of personal untruthfulness if, in their official capacity, they stated that which, as honest gentlemen, they would not state in their private capacity; and yet for an untruth at an election a candidate was to be held incapable of ever representing a constituency again. It seemed to him that this clause should be a warning to the occupants of the Treasury Bench.

THE CHAIRMAN: Does the hon. Member withdraw his Amendment?

MR. CALLAN: No; I shall have it negatived, because I consider these words an utter farce, unworthy of the common sense of the House.

Question put, and *agreed to.*

MR. PARNELL said, he now begged to move to add these words—

"Provided, That spiritual injury, damage, harm or loss, under this section, shall mean excommunication, or withholding or refusing the rights or sacraments of any Church."

It was stated some time ago by the Attorney General that in the view of some hon. Members these words applied to the Roman Catholic Church alone. That he (Mr. Parnell) denied. Refusing the rights or Sacraments of the Church of England was, he believed, an offence for which a person could sue for damages and recover them by law. It was an actionable offence, recognizable by the law of the land, and, therefore, was a case it would be proper to insert in the Bill. With regard to excommunication, that, of course, only applied to the Church of Rome; but the two provisions combined in themselves almost the entire Judgments of Lord Fitzgerald, Mr. Justice Keogh, and Sir Samuel Romilly; and, therefore, they were such as should recommend themselves to the Committee. They included all that the Government declared they had been contending for during the discussion on this clause—namely, that excommunication, withholding, or refusing the rights or Sacraments, or intimidation, or anything of that kind, should be punishable under the new Election Law. He hoped the Government would accede to these words, or some modification of them, and so close this discussion.

Amendment proposed,

At the end of the proposed Amendment, to add the words, "Provided, That spiritual injury, damage, harm or loss, under this section, shall mean excommunication, or the withholding or refusing the rights or sacraments of any Church."—(*Mr. Parnell.*)

Question proposed, "That those words be added to the proposed Amendment."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had stated at an earlier period of the evening that he could not accept this Amendment. They had avoided any definition of spiritual damage, harm, or loss, for the reason that by so doing they would be applying a different rule with regard to spiritual loss from that which they applied to temporal loss. Nothing could be more injurious, when they were defining a crime, than to state the means by which the crime could be committed. If they did define it some other means would be found for committing it, and thus the provision would be evaded. It seemed to him to be intended to apply to the case of the Roman Catholic Church. To his (the Attorney General's) mind, the words should be left in a general sense. The provision should apply to temporal and spiritual damage, harm or loss. He had made a concession to the hon. Member; and he, therefore, hoped the hon. Member would make a concession to him on this matter.

MR. SYNAN said, he thought it was very right of the hon. Member for the City of Cork to propose some limitation of the words "spiritual intimidation." The Attorney General, on Friday, promised to bring up either a separate clause or a sub-section defining spiritual intimidation. He said that all other modes of intimidation were met by the Statutes in existence, and that he proposed to frame a definition of undue spiritual influence and bring it up in a new clause. Subsequently, the hon. and learned Gentleman promised to bring it up in a new sub-section; but he had neither done that nor brought up a new clause, but had proposed words as general and as vague as the general words of the Statute of 1854. What was the argument used by the Attorney General to carry his own clause? That by the general words he meant intimidation, harm, loss, and damage by withholding the Sacrament of the Church, or by excommunication; and he said that the Judgment of Mr. Justice Fitzgerald was, in his opinion, not the law, and that under the present clause as framed by him no Judge would decide the law in that fashion. He gave that as his opinion; but he said he would not be answerable for any Judge deciding in the same sense. If his general words spiritual intimidation, spiritual damage, harm, or loss were confined, according to his own construction, to excommunication or refusal of the Sacrament, why did he refuse to explicitly add these words to his sub-section, in order to prevent Judges from giving decisions differing from the opinion he had expressed? He had induced the Committee to come to a particular conclusion by stating that his words were capable only of a particular construction; and now, when he was asked to put that particular construction at the end of the clause, he refused. Upon what argument? Because, he said, the temporal injury, loss, and harm were not defined, and, therefore, it was not right that the spiritual injury, loss, and harm should be defined; but he admitted that temporal injury was measurable, but spiritual injury was not measurable. And the hon. and learned Gentleman had himself proposed to measure it by the two cases he had said his words were only co-extensive with—refusal of the Sacrament or excommunication. What other loss was there? He said there was no other. Then, if there was no other, what analogy was there between temporal loss, which was measurable, and spiritual loss, which was not? It seemed to him that the argument was an argument against the Attorney General. Unless these words were added there would be injustice done, and the Committee would have been misled in coming to a particular decision upon the former Amendment; and he thought the Committee ought to insist upon the Attorney General's argument being inserted in positive and distinct words.

MR. KENNY said, he thought it was desirable to insert some words in this clause to prevent its being left, as it would be left if there was no Amendment, to the Judges to decide what was or was not spiritual harm, damage, or loss. It was, he thought, almost impossible for any ordinary man to decide what was the amount of spiritual harm or loss. It might be interpreted by one Irish Judge that if a priest told his parishioners that certain consequences would follow upon the side they took in an election, that might mean spiritual harm or loss; so that, unless there was some clear definition of what was spiritual intimidation, there would probably be hopeless confusion in regard to deciding Election Petitions in Ireland. Decisions of Irish Judges had been raked up in that House. It had been stated that the decision of

Mr. Justice Fitzgerald in the Longford case was a statesmanlike decision; and, at the same time, the hon. and learned Member had said he disagreed with the decision of Mr. Justice Lawson in the Galway case. But nearly all the decisions by Irish Judges had been personal decisions—decisions entirely prompted by personal feeling, and the circumstances which had surrounded their own cases. Mr. Justice Fitzgerald took care, in his decision, to point out that a priest possessed, and had a right to exercise, certain influence; but it should be borne in mind that that Gentleman, who was then a Judge, was at one time a candidate for a Parliamentary seat. He represented for a number of years the constituency which he (Mr. Kenny) now represented (Ennis), and he had secured his election by going round and offering a certain inducement to the then priest of Ennis. That inducement was certain and specific, and it was interesting, because it showed that even at that time he had an eye to business. He offered to the priest £500 to be given to the Church if he was elected without a contest, and £300 if there was a contest! It was no wonder that that Gentleman, who secured his seat by gaining the influence of the local clergy, when he obtained a seat on the Bench—and mainly because he had secured that seat——

The CHAIRMAN: I must point out to the hon. Member that that is not the Question before the Committee.

Mr. KENNY said, he was pointing out that it was no wonder, when Mr. Justice Fitzgerald had secured his seat as he had, he should say that the priest had a right to exercise certain influence, knowing well that that sort of thing had been exercised in his own case. If that was the habit of Irish Judges of this class—men who had been elected to that House in nearly every instance, and who had been political partizans, and had derived benefit from the influence of priests—it was necessary to take precautions to protect the Irish priests against capricious decisions of such men. The three Irish Judges who had been appointed to consider Irish Election Petitions were Gentlemen who had been at one time strong politicians. One of them had sat in that House, and the other two had tried to get into the House, and were only beaten by the opposition of the local clergy. He questioned very much whether those Gentlemen were the best judges of what constituted undue influence by the clergy, considering that they had been intimately mixed up in political matters and struggles during some portion of their career. He would, therefore, urge on the Attorney General that if he wished to prevent repetitions of offences such as had occurred in Galway, and to prevent unfair and unjust decisions which would cause dissatisfaction and heart-burning in Ireland, it would be necessary for him to accept an Amendment such as that proposed by the hon. Member for the City of Cork, which defined the offences for which clergymen of the Catholic Church, or any other denomination, would be liable to penalties.

Mr. BIGGAR said, he thought the speech of the Attorney General was strongly in favour of this Amendment. He had pointed out, first of all, from the lawyer's point view, that it was desirable to have the words as plain as possible, which meant that they should cover all sorts of undefined offences. That seemed to him to be a very strong reason why this Amendment should be agreed to; because, as this was a Bill of a very penal nature, and the provisions of this clause were of a very severe character, it was desirable that the offences should be very clearly defined. But the hon. and learned Gentleman had also said that there should be no distinction between temporal and spiritual injury. That seemed to be an exceedingly weak argument. As had been pointed out by the hon. Member for Limerick County (Mr. Synan), temporal injury could be easily proved to demonstration; but with regard to what was called spiritual injury, it was impossible to arrive at any decision. Therefore, unless something was clearly laid down, as proposed by the Amendment of the hon. Member for the City of Cork, no one could possibly be safe under this particular clause. The most innocent words spoken by any clergyman of any Church might be held by some Judge, who was more or less prejudiced, to bring him within the clause. For these reasons he hoped the Committee would be guided by the dictates of common sense and reason with regard to this Amendment, and would not be carried away by prejudice or

Party feeling, but would decide according to the merits of the case.

Question put.

The Committee *divided*:—Ayes 23; Noes 161: Majority 138.—(Div. List, No. 142.)

Amendment proposed,

At the end of the proposed Amendment, to add the words, "Provided, That the exercise of any moral jurisdiction in the performance of any duty or in the fulfilment of any function as a minister of religion by any clergyman of any form of religion or religious belief shall not be deemed undue influence within the meaning of this Act."—(*Mr. Marum.*)

Question proposed, "That those words be added to the proposed Amendment."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could not assent to this Amendment.

Amendment, by leave, *withdrawn.*

Original Amendment put, and *agreed to.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Warton.*)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he felt himself very much in the hands of the Committee on this matter; but he would ask that they should be allowed to conclude the clause before Progress was reported. He would remind the Committee that they had not commenced on the Bill until half-past 8 o'clock.

MR. LEWIS said, he could not help thinking that there were two or three matters in connection with this clause that would take time to consider; otherwise he, for one, should have been ready to stay half-an-hour longer. There were some substantial Amendments to be proposed to the clause.

MR. R. N. FOWLER reminded the Committee that on Friday last the hon. Member for North Warwickshire (Mr. Newdegate) had moved to report Progress, and had intimated, in the course of a long speech on the subject, that the Amendment he had to propose was one which it would take some time to consider.

MR. NEWDEGATE: I spoke for only seven minutes.

SIR R. ASSHETON CROSS said, he hoped the Committee would not continue discussing the question whether or not they should go on.

MR. BIGGAR complained of the course of proceeding adopted in regard to the Bill. Either Amendments were hurried through without discussion, or a squabble took place as to whether or not there should be an adjournment. To his mind, the proper course would be to adjourn without discussion. They should never go on with a Bill like this after 1 o'clock in the morning unless there was reason for it.

MR. GIBSON said, he did not know whether it would meet the views of the hon. Member for North Warwickshire to do on with his Amendment to-night. If he did not intend to make a long speech upon it, perhaps it would be as well for the hon. Member to bring forward his Amendment as he was present.

MR. NEWDEGATE said, that to ask him to enter into the subject-matter of his Amendment at that hour and in an exhausted House was scarcely reasonable. Many Members with whom he had spoken on this subject agreed that it was a matter well worth consideration. The fact was, he wished to prevent the decision of very great questions being virtually taken out of the hands of the House.

SIR WILLIAM HARCOURT said, he hoped the Committee would endeavour to dispose of the clause. There was very little to be done upon it. The clause had occupied them now two days. [An hon. MEMBER: No; three days.] Yes; three days. The hon. Member for Cavan (Mr. Biggar) was of opinion that the Government should always agree to an adjournment at 1 o'clock; but they might very well sit a little later now, seeing that the hon. Member seemed willing to go on with his Amendment.

MR. ONSLOW said, that after the observations of the Home Secretary he hoped the Committee would refuse to go on with the Bill any longer to-night. The right hon. Gentleman said this clause had occupied three days. Well, whose fault was that? It was clearly the fault of hon. Members opposite, who had not known their own minds for two minutes together. They had given way to the hon. Member for the City of Cork against the wishes of Members who sat on the Conservative Benches; and now they wished the hon. Member for North Warwickshire to proceed with his Amendment on a subject that that hon. Member and many of his Friends took great interest in. He (Mr. Onslow) hoped the hon. Member would do nothing of the kind.

Sir R. ASSHETON CROSS said, he understood the Amendment of the hon. Member for North Warwickshire was worthy of great consideration; and he (Sir R. Assheton Cross) would not go against him. As for three days having been occupied by the Amendment, what had fallen from the hon. Member for Guildford (Mr. Onslow) was most true. If the Government had stood up for the clause as originally drawn it would have been passed long ago.

Mr. NEWDEGATE said, he saw the Committee was not inclined to attend to the subject he wished to bring before it; therefore, he would seek other opportunities during the discussion of the Bill to bring the matter forward.

Mr. BIGGAR said, he did not know whether the Committee was disposed to agree to the withdrawal or not; but he objected to the Home Secretary putting words into his mouth that he never used. His contention was that, unless there was some special reason to the contrary, a Motion for Adjournment should always be agreed to at 1 o'clock. In the present instance the Motion for Adjournment was made after 1 o'clock.

Question put.

The Committee *divided*:—Ayes 41; Noes 97: Majority 56.—(Div. List, No. 143.)

Mr. LEWIS really thought the Government ought not to press them to go on further that night. There were several Amendments to be disposed of; and the hon. and learned Gentleman the Member for Launceston (Sir Hardinge Giffard) had, he believed, something to propose with reference to the clause itself. He begged to move that the Chairman leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Lewis.*)

Sir WILLIAM HARCOURT said, he was afraid that, under the circumstances, it would be no use prolonging this contest. He was in the hands of the Committee. He did not see in his place the right hon. Gentleman (Sir R. Assheton Cross). He had at first encouraged them to go on, he had then disappointed them by saying that they should not press the hon. Member for Warwickshire (Mr. Newdegate) to go on with his Amendment, and now he had disappeared. By a majority of more than 2 to 1, the Committee had expressed a desire to go on; but as discussions of this kind were apt to breed ill-humour, and they were more likely to make progress if they did not persist in going on with the Bill at this moment, he, for one, must decline the contest. If the hon. Member (Mr. Lewis) withdrew his Motion probably the Committee would agree to report Progress.

Mr. GORST expressed disappointment at the failure of their New Rules on, probably, the first occasion they might have been put into force with advantage. He thought their New Rules had been adopted to put a stop to Obstruction; and he was, therefore, very sorry to hear the Home Secretary say, in the face of the majority just given for the Government, that it was quite impossible to go on with the clause.

Motion, by leave, *withdrawn.*

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

STATUTE OF FRAUDS AMENDMENT BILL.—[Bill 204.]

(*Mr. Reid, Mr. Whitley, Mr. Arthur Elliot.*)

COMMITTEE.

Order for Committee read.

Mr. WHITLEY moved that the Speaker do leave the Chair, in order to go into Committee on this Bill. He did not propose to discuss the measure now, but simply to take the Committee stage *pro formâ.*

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Whitley.*)

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he did not oppose the commitment; but he hoped that as the Bill was important, and it was desirable that time should be given for its consideration, that the discussion in Committee would be put off for a week or 10 days.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Committee report Progress; to sit again upon *Thursday* 28th June.

MOTIONS.

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 8) BILL.

On Motion of Mr. JOHN HOLMS, Bill for confirming certain Provisional Orders made by the Board of Trade, under "The Electric Lighting Act, 1882," relating to Bradford, Brighton, Hanover Square District (London), Norwich, South Kensington District (London), Strand District (London), and Victoria District (London), *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented*, and read the first time. [Bill 230.]

TURNPIKE ACTS CONTINUANCE BILL.

On Motion of Mr. HIBBERT, Bill to continue certain Turnpike Acts, and to repeal certain other Turnpike Acts; and for other purposes connected therewith, *ordered* to be brought in by Mr. HIBBERT, Mr. GEORGE RUSSELL, and Sir CHARLES DILKE.

Bill *presented*, and read the first time. [Bill 231.]

MUNICIPAL OFFICES DISQUALIFICATION (IRELAND) BILL.

On Motion of Mr. CALLAN, Bill to amend the Acts for the regulation of Municipal Corporations in Ireland in respect to the disqualification for Municipal Offices in Ireland, *ordered* to be brought in by Mr. CALLAN, Mr. GRAY, Dr. COMMINS, and Mr. KENNY.

Bill *presented*, and read the first time. [Bill 232.]

HIGH COURT OF JUSTICE (CONTINUOUS SITTINGS) BILL.

On Motion of Mr. WHITLEY, Bill to provide for continuous sittings of the High Court of Justice in certain populous places, *ordered* to be brought in by Mr. WHITLEY, Lord CLAUD HAMILTON, Mr. JACOB BRIGHT, Mr. SAMUEL SMITH, Mr. SLAGG, and Mr. LEWIS FRY.

Bill *presented*, and read the first time. [Bill 233.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 19*th June*, 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Tramways Provisional Orders * (110); Tramways Provisional Orders (No. 3) * (111); Factories and Workshops Amendment * (113).

Second Reading—Local Government Provisional Orders (Poor Law) * (67); Local Government (Gas) Provisional Order * (72); Local Government Provisional Orders (No. 3) * (73); Local Government Provisional Orders (No. 4)* (74); Public Health (Dairies, &c.) (92).

Committee—Marriage with a Deceased Wife's Sister (56-112).

Committee—Report—Pier and Harbour Provisional Order (No. 2) * (82); Indian Marine * (88).

Third Reading—Local Government (Ireland) Provisional Order (No. 3) * (81), and *passed*.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 56.)

(*The Earl of Dalhousie.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That this House do now resolve itself into a Committee upon the said Bill."—(*The Earl of Dalhousie.*)

EARL CAIRNS said, that, before going into Committee on the Bill, he wished to call the attention of their Lordships to an Amendment which appeared, in company with another, on the Paper in the name of the noble Earl who had charge of the measure (the Earl of Dalhousie), and which proposed in Clause 1, page 1, line 10, to leave out after "contracted" the following words:—

> "In England or Ireland in the office of any registrar under the provisions of the Acts relating to marriages in England or Ireland, or to be contracted in Scotland or elsewhere," and insert "within the realm."

Now, that Amendment was a very important one; it had only just been put upon the Paper, and, consequently, it had taken many of their Lordships by surprise, seeing that little, if any, Notice of it had been given. He did not wish, at that stage, to offer any opinion on the merits of that Amendment, but merely to point out how necessary it was that their Lordships should have time for considering it, seeing that it entirely altered the whole tenour of the Bill. If the Amendment was to be discussed at that stage, he should ask their Lordships to defer the Committee for a fortnight; but he hoped it would not be proceeded with that evening. The Amendment was one which would allow these marriages to be celebrated in any church in the Three Kingdoms; whereas the Bill, as drawn, confined these to the Registrar's offices only, and made them civil marriages.

EARL NELSON said, he also trusted the noble Earl opposite (the Earl of Dalhousie) would assent to the suggestion not to move his Amendment at present. As regarded himself, he (Earl Nelson) knew nothing about the Amendment until he came up to town that day, and other Peers were in the same position, and, therefore, they required to take its effect into consideration. The measure had been supported by many of their Lordships and other people out-of-doors, on the ground that it did not extend to ecclesiastical marriages which were celebrated in churches, and so did not affect clergymen who objected to celebrate such marriages. In his opinion, however, if the Amendment, as proposed, was made in the Bill, it would throw a new and heavy responsibility on the clergy, and would entirely alter its character.

The Earl of DALHOUSIE said, he could assure their Lordships that he had no intention of springing a mine upon the House in the shape of these Amendments, and thereby taking their Lordships by surprise, or of proposing anything which should alter the whole character of the Bill, as alleged by the noble Earl opposite (Earl Nelson). Neither had he any idea of the serious feeling of opposition with which it would be received. The fact was, he put down the Amendment on the Paper on account of a remark made by the noble and learned Earl himself (Earl Cairns) in the debate on the second reading, complaining that his (the Earl of Dalhousie's) Bill would introduce an entirely new principle into the Law of Marriage inasmuch as if a man married his deceased wife's sister in church, the marriage would be void, whereas it would be valid if he married her before the Registrar. He (the Earl of Dalhousie) quite agreed with that criticism of the noble and learned Earl, for it was very far from his wish to rob marriage of its religious character. He certainly should not be content himself with making a civil marriage, and he did not suppose that there were many Englishmen who would. It seemed to him that it was a mistake, from many points of view, to place the marriages in question in the position of purely secular contracts. In this particular instance there appeared to be an additional reason for not doing so, because the Bill was intended to remove a grievance; it was, in some sort, a remedial measure, and it would be robbed of much of its value in the eyes of those for whom it was intended if the religious part of the marriage ceremony should be practically abolished. At the same time, he would admit that the noble and learned Earl had complained quite justly that there had not been time for considering the Amendments. He certainly did not wish to take the House by surprise, and he would consent to withdraw the Amendments, and to consider between that time and the Report stage whether he should bring them forward again.

Lord DENMAN said, that he had tried to address their Lordships at the close of the debate in the year before last, but was silenced by clamour; and likewise this year on the second reading, when the most rev. Primate (the Archbishop of Canterbury) followed the noble and learned Lord opposite (Lord Bramwell). On the first occasion, he (Lord Denman) had wished to explain that an argument by his lamented Predecessor in title had been republished and handed to him just before the debate. It had been obtained by a gentleman who was very anxious to marry his deceased wife's sister, and who went down to his (Lord Denman's) house in Northamptonshire to see the retired Lord Chief Justice; but he (the late Lord Denman) had advised that gentleman not to marry until the law was changed. But the gentleman went abroad and married; and he (Lord Denman) confessed that there might have been no marriage of any sort—only disappointment. In writing that argument, the late Lord Denman, who had had two paralytic seizures, used strong language. In the course of it he wrote that Bishop Blomfield had altered his opinion; but in his memoir—by the Bishop of Bedford, his son—he (the present Lord Denman) found that, although Bishop Blomfield had attached less weight to the prohibition (Lev. c. xviii. v. 18), yet he was convinced that such marriages were against the whole spirit of the Scriptures. He (the late Lord Denman) had ended his argument by a quotation from Numbers, c. xxiii., end of 8th verse—"How shall I defy whom God hath not defied?" In the debate of 1835, both Mr. Warburton, M.P. for Bridport, and Dr. Lushington, then Judge of the Consistory Court, had wished such marriages to be at once, for the future, declared void, before two years, during which time Lord Lyndhurst would have allowed them to remain questionable, in order to prevent such marriages, which were likely to increase if Mr. Poulter's exclusion of the 2nd clause were continued. In 1869, Lord Lyndhurst admitted that in Massachusetts, Boston, connections of his own had made such marriages with happy results; but added that a different state of society in another country might make them unsuitable. His Lordship attached great weight to the opinion of the Bishop of Exeter, and, although his Bill had been altered, did not attempt to repeal it. He (Lord Denman) had wished to explain, on the second reading of this Bill, that the opinions obtained from Professors on two verses only in Scripture—in Leviticus and Ephesians—did not convince him. He thought 1 Cor. c. vi., v. 16, more to the purpose. He thought there was mystery as to the union between Christ and His Church, but no mystery as to the connection between a man and his wife. He (Lord Denman) thought the expression "*Chère entiere*," which the Earl of Chesterfield, in his letters to his son, advocated as a means of influence on the Continent, though an incontinent one, explained his meaning. He (Lord Denman) believed that no good could be done by discussing this Bill in Committee. In 1869, on a Bill by Earl Russell for 28 life Peers, attempts were made to improve the Bill; but an hon. Member—late Chancellor of the Duchy of Lancaster—had written, or said, that their Lordships were "tinkering the Bill." Yet, on the Motion of the Earl of Malmesbury—although he (Lord Denman) could not obtain a Teller on the second reading of the Bill, in his Motion against it —on the third reading, it was thrown out by a majority of 30; and he (Lord Denman), instead of trying to improve this Bill in Committee, would move its rejection on the third reading.

The Earl of DALHOUSIE said, he wished to add one or two words of explanation, for he was very anxious that their Lordships should understand his position. His view was, that the two Amendments in his name should be taken together. That was to say, that if any of the clergy did not object to celebrate these marriages between a man and his deceased wife's sister—

Earl BEAUCHAMP rose to Order, and said, it would be much more regular if the Amendments were taken as they arose. In that case, any further explanation that might be required would be more conveniently made.

The Earl of DALHOUSIE, resuming, said, he was merely going to add that, in the case of those clergymen, it should be lawful for them to do so.

Motion *agreed to.*

House in Committee accordingly.

Preamble *agreed to.*

Clause 1 (Marriage between a man and his deceased wife's sister not void or voidable).

Earl BEAUCHAMP, in rising to move, as an Amendment, the omission of the words which gave the Bill a retrospective character, said, there were many reasons why a Bill such as this should not be retrospective, but none, as far as he could see, for the present proposal. Lord Lyndhurst's Act of 1835 was, no doubt, retrospective; but there was no analogy between that Act and the Bill before the House. That Act clothed the temporal Courts with power to decide that all these marriages were void. The main reason for making the Bill retrospective, according to its promoters, was the sentimental argument that an injury would otherwise be inflicted on the innocent children of these marriages; and, as far as it went, that was a fairly good argument. But, he might ask, what view did the law take of other children born also out of wedlock, who were no less innocent, in his view, than the children born of these marriages? He was not speaking as a theologian; but to him all children were, more or less, equally innocent, whether their parents were married or not. But the proposal now was not to legitimate them all, but only to legitimate the offspring of the unions affected by the Bill; and, that being the case, he failed to see the cogency of that sentimental argument. Grievances were spoken of; the Bill was to redress grievances; but they were the grievances of persons who had transgressed the law, and might be supposed to know the consequences of doing so. He contended that the effect of the clause, if it were allowed to remain as it stood, would be to set up marriages again which had been by the Ecclesiastical Courts declared void, and it would enable parties to claim titles and estates under such marriages, and might have the effect of upsetting rights which had been settled. Their Lordships would at once see how dangerous such a course would be. No doubt, there were some grievances under the Law of 1835; but it should be remembered that they had been greatly exaggerated, and that the parties affected had entered into these marriages, knowing that by the law of England they were doing wrong. At any rate, it was an entirely new doctrine; and he thought it would be a remarkable innovation on Parliamentary practice, that the law should be altered to suit the convenience of those who had broken it, by placing them in the same position and with the same advantages as those who had obeyed it. He hoped, therefore, that whatever change might be made in the law, the House would not show so much deference to the very active agitation that had been carried on as to make the Bill retrospective; for he could not help feeling that it would, indeed, be a very evil day for the Parliament of England, if their Lordships admitted that provision of the Bill to become operative. An active canvass had been carried on upon the question; but he would call upon their Lordships to decide on their own responsibility. He begged to move the Amendment standing in his name on the Paper.

Amendment *moved*, in page 1, to leave out from ("sister") in line 7, to ("which") in line 9.—(*The Earl Beauchamp.*)

THE LORD CHANCELLOR said, that this was a subject upon which he thought it his duty to address their Lordships. The House had read the Bill a second time, and he was sorry for it; but much as he regretted that, in doing so, it had affirmed the principle of the Bill, and, although on the division he had voted in the minority, he was bound to say that he was in the habit of bowing to its decisions, and therefore he could not vote for the Amendment, for he could not but think that the House, in accepting that principle, had accepted also the substance, though not necessarily the form, of this provision to which the noble Earl opposite (Earl Beauchamp) objected. He (the Lord Chancellor) regarded them as being incapable of being altogether dissociated from each other. Ten years ago, when a similar Bill was under discussion, he placed before the House his views as to the danger of the principle involved in such a retrospective clause as was now under controversy. The matter did not receive much consideration upon the second reading, although his noble and learned Friend behind him (Lord Bramwell) had made some comment upon it; and if he (the Lord Chancellor) had addressed their Lordships last week, he should have adverted to that portion of the subject. In the Bill there were two distinct principles. One was that debated last week as to the religious, moral, and social bearing of the proposition that marriage with a deceased wife's sister should be legal; and, to that question, the point of its retrospective operation was not relevant. Whatever religious or moral principle in the view of anyone was involved in marriage with a deceased wife's sister, was, of course, as much involved in the same union without legal marriage; and what belonged to the past was irrevocably done, and must be so regarded. So, again, with respect to any disturbance of social relations, that which was irrevocably done could not, for the future, operate upon social relations more than it had done in the past. Therefore, the arguments founded upon religious, moral, and social considerations were not relevant to the present question of the retrospective operation of the Bill. There was, undoubtedly, another principle involved, which he could not help hoping would be taken note of, either here or in "another place." If the 1st clause, as to its retrospective operation, were to remain in its present form, he could not but think that it would amount not only to a repudiation of what their Lordships did 40 years ago, but to a declaration by the Legislature of its own moral incompetence to legislate upon this subject. And if they were morally incompetent to legislate upon this subject, it followed that they must be morally incompetent to legislate on a variety of kindred subjects also. The same principle would certainly apply, at all events, with regard to all degrees of affinity. He said "at all events;" because he was by no means sure that, in the view of those who thought the Legislature morally incompetent, the objection to its competency might not consistently be pressed still further. That point was neatly put by an Oxford clergyman, the Rev. Archer Gurney, in a letter lately published in the newspapers, in which he said that the law had no right to make that a crime which God's law had not made so, and that the State had no right to forbid what God's law allowed; and he proceeded to draw the practical conclusion as to all degrees of affinity. He (the Lord Chancellor) could not understand what other principle there was in this retrospective clause as it now stood, for it declared all marriages of this kind, not merely to be for the future, but to have been, from the time when they were contracted, valid and lawful, notwithstanding the Statute Law which had been in force for nearly 50 years, and was still in force, declaring them absolutely null and void. If that were so, then the Legislature, as often as any question arose as to restrictive legislation concerning marriage, must enter into theological inquiries, or it must accept the principle that everything which any considerable number of men did not believe to be prohibited by any Divine commandment as to matrimonial relations, was beyond the competence of a human Legislature to prohibit. It was a very serious thing to pass a Bill which, in terms, abdicated the right to legislate upon this subject, not merely by legitimizing innocent children, but by expressly justifying 48 years of deliberate and systematic disobedience to the law, and declaring all those marriages since 1835, which were illegal and void by Statute, to be legal, and treating the Statute as if it had never been passed. He would ask the noble Lord in charge of the Bill, whether, under these circumstances, he could not devise, at a later stage of the Bill, some mode of giving effect to his principle, which would, at least, not be open to the objection he had specified? Would it not be possible for the future, instead of declaring that no marriage of this kind should be deemed to have been void, to declare simply that the status of the children of such unions should not be different from that of the children of unions which had been according to law? Otherwise, in its present condition, the Bill would be an affirmation of the right of individuals to disobey the law; and he would appeal to the noble Lord to consider whether it would be safe to encourage others to rely on the fact that after a sufficient amount of disobedience, the Legislature would not only change the law in their favour, but, as it were, go down on its knees before them and acknowledge itself to have been in the wrong? Difficulties, moreover, might arise, which, he dared say, the promoters of the Bill had never contemplated; for the effect of the Bill, as it stood, might be to validate marriages actually declared void by the Courts of Law. Or, a man might have married his deceased wife's sister, and then the parties might have agreed mutually to live separate, and might have carried out that resolution for several years. As the law stood now, no question of compelling them to live together could possibly arise; but under the clause, as it stood, a suit for the restitution of conjugal rights might be instituted by either party. There was another point which required consideration, and that was that women who had been, in the eye of the law, single women up till now, and who might have entered into contracts, now binding upon them in law, might, by this Bill, be released from such contracts. He could not undertake to suggest particular Amendments; but he would appeal to the promoters of the Bill to consider how they could meet these objections. At all events, they might except cases in which there had been decrees of Court, and in which parties had been living separate. Therefore, while suggesting that some such Amendments as he had described should be made in detail by the promoters of the Bill, it appeared to him that the ground covered by the Amendment now before the House was so wide as not to be clearly separable from that on which the division on the second reading had been taken, and it would not be consistent with the deference he was inclined to pay to the vote of their Lordships' House on the second reading to vote for the Amendment.

THE DUKE OF ARGYLL said, he was sorry to say he felt himself obliged to dissociate himself from those with whom he had hitherto voted on this question. In the first place, it appeared to him that the question before their Lordships was entirely a different question to that which was before them last week on the second reading of the Bill. He had always been a consistent opponent of any measure for legalizing marriage with a deceased wife's sister, and he was one of those who deeply regretted that the principle of this measure had received the sanction of their Lordship's House, for, like many others, he believed that it would injuriously affect the comfort and purity of our domestic life. But a majority of that House had decided the matter otherwise, and they knew from past experience—at least, they had good reason to believe—that that was the opinion of the majority of the Members of the other House of Parliament. The question now remained, whether this contest was to be carried further, and whether, in principle, it was to be carried to this particular extent—that almost the whole penalty for the disobedience of the law in past time was to be visited on the innocent offspring of these marriages. For his own part, he was not prepared to vote for any measure which would visit the penalty for disobedience on the offspring of these marriages. He desired to point out to the House the complication and inequality that would arise, as between the law of England and law of Scotland, if this Amendment was carried. He entirely agreed with the view of his noble Friend opposite (Earl Beauchamp) as regarded the parents who had contracted these marriages. They had done so, knowing they did so in violation of the law; and they had no reason to complain if, in defying the law, the law defied them, and attached certain penalties to their disobedience of the law. It ought to be borne in mind, however, that if the Bill were purely prospective, these persons would have nothing to do but to go before the Registrar, in order to render their marriage valid for all future time. There might be some humiliation in that; but there was this difference, that in Scotland it would have the effect of legitimizing the children, while it would not have that effect in England. The result of the Amendment would be that all persons who, in Scotland, had contracted these marriages more against the feeling of the country than in England, would be able to have their children legitimated, while the offspring of such unions in England would still remain the position of bastards. Such a state of the law, he thought, would be open to serious and grave objection. The noble and learned Earl (the Lord Chanceller) had pointed out objections to the clause, in which he (the Duke of Argyll) confessed he very much agreed. He could not conceive that there was anyone in that House, even his noble and learned Friend behind him (Lord Bramwell), who would go the length of saying that it was incompetent for society to enact such a prohibition. At all events, if that was the opinion of the majority of the House, he certainly should not be disposed to accept a verdict which went against the unanimous opinion and verdict of the Christian Church in all ages. That he could not conceive to be the object of his noble Friend who had charge of the Bill (the Earl of Dalhousie). All he (the Duke of Argyll) understood the noble Earl to mean was that this restriction should be withdrawn, and that, as a matter of expediency, these marriages should be legalized. This House, by a small majority, had sanctioned the principle of the Bill; and, under those circumstances, he thought it would be invidious, and even vindictive, to carry on the controversy to the extent which was proposed by his noble Friend (Earl Beauchamp). If the suggestion of his noble and learned Friend (the Lord Chancellor) was adopted, if his criticism was fairly met, and a distinct clause were brought forward for the purpose of legitimizing the children of these marriages, he would be glad to support it; but, if the only alternative were the Amendment before the House, he should be bound to oppose it.

Lord HOUGHTON, in opposing the Amendment, said, he wished to draw their Lordships' attention to the circumstance, that the two clauses of which Lord Lyndhurst's Act of 1835 consisted absolutely contradicted each other as regarded their principle. Under that Statute, marriages of this kind contracted before a specified date were valid; but, if contracted after that date, they were absolutely void. If these provisions were not contradictory, he did not know what contradiction meant; and he thought it was not to be wondered at that men had not regarded as a serious offence, the violation of an Act of Parliament which enacted such monstrous legislation. He objected to the idea that people should be regarded and treated as criminals for what only amounted to an act of illegality. It would be unjust, in the highest degree, that many thousands of innocent persons—he believed something like 100,000—should be stigmatized in the way suggested by the promoters of the Amendment for no act of theirs, but for that of their parents. He would further point out that, if the retrospective clause were not permitted to pass, it would only augment the complication existing between Great Britain and the Colonies on this question. As a rule, the *lex loci* prevailed as to marriage; and it was thought that it would be a sufficient protection in the case of marriages contracted elsewhere than in this country with a deceased wife's sister. But the decision in "Brooke *v.* Brooke" proved that that expectation was a delusion. He should certainly vote against the Amendment; and he trusted their Lordships would, by passing the Bill, confirm the abrogation of the former monstrous law—that most contradictory enactment.

THE ARCHBISHOP OF CANTERBURY said, it was with regret that he should speak, and with a sense of much responsibility in doing so; but he felt compelled to avow that he differed from some of those with whom he desired to act, and whom he recognized as having been entirely on the side of morality, the Church, and religion. He could not vote for the Amendment, although he felt that there was much force in the objections urged against the clause, as it stood, by the noble and learned Earl on the Woolsack. He (the Archbishop of Canterbury) recognized the fearful blot which, it had been pointed out, there would be in the Bill if the Amendment were not carried. The clause did not appear to him to be more retrospective than was the whole of the Bill. The parents had had their offences condoned in such a manner that they could place themselves in the positions of man and wife; but the great difficulty to him, as regarded the Amendment was, that the only people who would be injuriously affected by it would be those particular children who were born within a particular number of years. The parents might set themselves straight by marriage, and all their subsequent children would be legitimate, whilst the earlier born children would be for ever illegitimate. He could not look upon the condition of these children as a matter of mere sentiment; it would be an unjust one if the Amendment were carried. It seemed to him to be a condition which, above all, called for their charitable consideration, and particularly for the charity of the Church. Therefore, although he most deeply lamented the passing of this Bill, yet, looking at the matter from the position of the Church, and considering the advice the Church ought to tender to the State, he held it was plainly the duty of those who brought in the Bill to take care of the children, not indeed by the words as they stood, but by some careful provision. It was not, he thought, right that they, and only they, should be left under punishment for the marriages already contracted.

EARL CAIRNS said, that he was compelled to take the great liberty of setting the noble Lord opposite (Lord Houghton) right. The noble Lord was mistaken in supposing that Lord Lyndhurst's Act made valid all those marriages which had taken place up to the date of the Act. That House and the Ecclesiastical Courts had decided otherwise. There was not a word in the Act itself—although there was in the title, which, as was well known, was no part of an Act—about making marriages valid. All that the Act did was to make a sort of Statute of Limitations to prevent the action of the Ecclesiastical Courts being invoked in order to make these marriages invalid. He also took exception to the suggestion of the noble Duke opposite (the Duke of Argyll)—namely, that if this Amendment were passed, they would place English children in a worse position than those born of Scotch parents. He (Earl Cairns) would not like to speak with any positiveness on the Scottish law; but his impression was that, while it was certainly true that Scotch law legitimated children whose parents married subsequently to their birth, that only applied partially; for it was an essential element in the Scottish Law of Legitimacy that it only took effect in cases where the parents might legally have been married to each other at the time of the birth. No solution had, in his view, been proposed to the question proposed by his noble and learned Friend (the Lord Chancellor); and it was absurd to propose, as was done by the Bill, to declare valid *ab initio* those very marriages which, for the last 40 years, the law had already pronounced to be invalid. What was required was a clause providing that these children, the fruit of marriages with a deceased wife's sister, should be held to have the status of legitimate children. He would have no objection to an Amendment, which it would be the duty of the noble Earl (the Earl of Dalhousie) to propose, in case the present Amendment were carried, conferring upon the children of those past marriages the full status of legitimate children. Having said so much, he should certainly support the Amendment of his noble Friend (Earl Beauchamp).

THE BISHOP OF OXFORD said, that the noble Duke (the Duke of Argyll) had urged that there was something vindictive in the Amendment. He (the Bishop of Oxford), however, must say that he should be very sorry to bring any such feeling into the subject. Indeed, he was very tender of the feelings of children born of such marriages as these, and not only of them, but of all illegitimate children, for he felt that they were, as things now stood, grievously treated. He was, therefore, always disposed to be tender towards them, and he wished something could be done—he feared that it could not be done by law—to bring home their sins to the hearts of the profligates who were the cause of illegitimate children. But he saw no reason why he should be more tender to this class of illegitimate children than to any other. It was said that there were about 100,000 of them; but when they were asked to consider the interests of these children, then he remembered that there were greater interests than theirs. There were the interests of the whole community, which they were bound to consider. The interests of the whole community were, that marriage should be sacred, and that no expectation should be held out to the community that they might break the Law of Marriage, and then go to Parliament, and claim that they might have their marriage declared to be valid, and their children legitimate. That would be the result if the retrospective character of the Bill were agreed to. There could surely be no greater objection to a man's marriage with his wife's niece, than with his wife's sister; and yet, if those who had contracted the former marriages came to their Lordships' House to have them legalized, what would be the answer? Indeed, they had a stronger case than the advocates of the Bill, for the affinity in the former case was more distant by one degree. What would be the consequence of the passing of the Bill? They would have a Marriage Law Amendment Bill introduced Session after Session, until they had gone through all the marriages within the prohibited degrees. That was not a very pleasant prospect, or one to which he could look forward with equanimity. The fact was, that it seemed to him that this was a Private Bill, and that it dealt with a subject which had far better be honestly dealt with by a general measure. It was a Bill for the benefit of a certain number of persons, and, as a Private Bill, it would be thoroughly honest. He felt with all his heart for the children who were the issue of these *quasi*-marriages; but he felt still more for the community at large. As a public measure, this Bill did not contain the necessary element of honesty, inasmuch as it was not fair to all, and he had to complain that during the debate of last week, the noble Earl in charge of the Bill (the Earl of Dalhousie) had made no answer to the speeches made against it. The trouble which their Lordships were about to bring upon themselves in the future by passing this measure was greater than they had any idea of. He would advise their Lordships to reject this retrospective clause altogether, and to wait until an honest Bill, legalizing the issue of all these irregular marriages was brought in. If such a Bill were passed, he was not sure that he should vote against a retrospective clause of this kind.

THE BISHOP OF CARLISLE said, that he agreed with the most rev. Primate (the Archbishop of Canterbury) rather than with the right rev. Prelate who had just spoken (the Bishop of Oxford) on the point under discussion. The speech of the most rev. Primate was full of a feeling of kindness towards the innocent children, who were the issue of these irregular marriages; whereas that of the right rev. Prelate was one directed against the principle of the Bill, but it did not affect the point now before their Lordships. If ever their Lordships were so misguided and misled as to pass such a measure as that indicated by the right rev. Prelate, to render valid irregular marriages of all descriptions, he hoped that they would be prepared to render legitimate the innocent children of such unions. The question before their Lordships, on the present occasion, was whether, when they were about to relieve a class of persons, who had sinned against the law by contracting a certain class of irregular marriages, from the consequences of their violation of the law, they should not go a step further and relieve those who were perfectly innocent. The House could not reasonably reject such a proposal. He trusted that the noble Earl who had moved the Amendment (Earl Beauchamp) would accept the suggestion that had been made, and would thus save the House the trouble of dividing.

VISCOUNT CRANBROOK said, he differed entirely from the right rev. Prelate who had just sat down (the Bishop of Carlisle). He (Viscount Cranbrook) maintained that the question of the legitimacy or illegitimacy of certain children was not the matter under consideration. The question was, whether they were to sanction a breach of the law? If the Amendment was negatived, it would set the seal upon every breach of the law that had taken place since the year 1835. The question before the House was, whether they were to sanction a deliberate breach of the law by those who had contracted these so-called marriages with their eyes open, as laid down by the noble and learned Earl upon the Woolsack? To do so would be to place those persons on the same footing with those —and he was glad to know there were many such—who had obeyed the law of the land and had waited until Parliament thought fit to change it. If they desired to protect the children of these marriages, for whom he (Viscount Cranbrook) felt as strongly as anyone, let it be done by direct legislation, and not in this general way.

LORD BRABOURNE said, he had been fighting in the van of this battle for many years, but had never yet addressed their Lordships, and would not now have risen but for one or two speeches which had been delivered. The debate had taken a turn which certainly caused him some surprise. His noble Friend (Earl Beauchamp), who had moved the Amendment, had stated that all children were innocent. This was a strange repudiation of the doctrine of original sin to come from so staunch a champion of the Church.

EARL BEAUCHAMP said, he expressly stated that he had not spoken as a theologian.

LORD BRABOURNE said, his noble Friend might not have spoken as a theologian; but he had certainly enunciated a doctrine which would hardly meet with support from the Episcopal Bench. He (Lord Brabourne) wished to give the most emphatic contradiction to the assertion that this Bill was the outcome of an agitation which had been set on foot by wealthy persons. When he heard that allegation so constantly made, and the harsh terms which were applied to the advocates of the Bill, answered as they were by imputations of bigotry and intolerance upon its opponents, the lesson conveyed to his mind was that there was no question upon which it was more possible for men to feel conscientiously and strongly on one side and on the other; and, consequently, there never was a question demanding a greater exercise of Christian charity, and, above all, the charity of the Church. He did not like to be told, even by a Chief of his Church, that this was not an honest Bill; and he believed that the vote he should give on this matter was as much in the interests of the Church as any vote he ever gave. He could not help recalling the recent utterances of a right rev. Prelate (the Bishop of Peterborough) upon another question, when he had told their Lordships that if the union between Church and State was to continue, it must be carried out fairly and honestly on both sides, and that the State ought to assist, and not to impede, the Church, when she attempted to reform herself. He applied those words of the right rev. Prelate to the present question, and said that when the State tried to assimilate her Marriage Laws to that of other countries, the Representatives of the Church should assist, and not impede her. And he (Lord Brabourne) considered that one of the worst days for the Church which had occurred for many years—as bad as that which witnessed the passing of the Public Worship Regulation Bill, which he had done his utmost to oppose—was the day when a majority of lay Peers prepared to agree to this relaxation of the law was converted into a minority by the unanimous vote of the Bishops. The more he (Lord Brabourne) wished the Church to become a mighty engine for the improvement of the moral and religious condition of the people, the more he desired to see her influence extended among the masses, the more earnestly did he deprecate the state of things in which a civil disability could be pointed out as the result of her teaching and influence, and that, too, a disability which was inflicted as a punishment for an act which was approved and sanctioned by one-half of the Christian world, and by every other Protestant country. Nor must it be forgotten that this was not the case of the Church punishing her own contumacious children for disobedience to her commands. In this free country, men had a right to choose their own religion; and this breach of Church discipline was punished upon hundreds and thousands of people who were not amenable to the discipline nor subject to the control of the Church. He (Lord Brabourne) had presented a Petition signed by 7,422 Nonconformist ministers, declaring their belief that the measure ought to be passed. A meeting of 44 Baptist Churches had expressed the same view very strongly. It was due from their Lordships, the majority of whom belonged to the Church, that they should be most charitable to those who did not. He had no particular love for these marriages himself; but when the great majority of Christian nations—he believed every other Protestant nation—sanctioned these marriages, it was a little too bad that in England — the boasted home of civil and religious liberty—we should continue to enforce a heavy penalty upon those who contracted them. He hoped, therefore, the House would not accept the Amendment of his noble Friend, and, if it were rejected, that it would be possible to amend the clause in accordance with some of the suggestions of the Lord Chancellor.

THE EARL OF DALHOUSIE said, he had listened with the greatest respect to the speeches which had been made in various parts of the House. There was, however, one speech which he heard with the greatest pain, so different it was in tone and feeling from everything he had ever heard before come from the right rev. Bench. [*Cries of* "Oh!"] The right rev. Prelate (the Bishop of Oxford) complained that during the debate of last week, he (the Earl of Dalhousie), as having charge of the Bill, had made no reply to the speeches made against it. Well, he was an old enough Member of their Lordship's House to know that, when the clock pointed to half-past 7, it would task the powers of a greater orator than himself to interest their Lordships. He was not sure that the right rev. Prelate had not been visited by a similar feeling, for the speech they had just heard had evidently been intended for the second reading of the Bill, and not composed for the purposes of Committee. The Bill was a fair and honest Public Bill, so far as it went, and he knew all that related to it. The measure, however, which it would in part undo was, in reality, first introduced as a Private Bill under the guise of a public one—he referred to the Act of Lord Lyndhurst. He had listened to with great attention, and fully accepted, the criticisms of the noble and learned Earl upon the Woolsack; at the same time, he would ask the House to reject the Amendment of the noble Earl opposite (Earl Beauchamp). With regard to the question of the noble and learned Earl on the Woolsack, whether he intended to bring forward Bills dealing with all the other degrees of affinity, and, in fact, to take up the whole question of the Law of Marriage, and deal with it on a logical principle, he had to reply that he had no such ambition or intention. The Bill simply was intended to remove a present grievance, with as little disturbance as possible to the existing Marriage Law. But he asked them to reject the Amendment on this ground. He considered that, by the vote of last week, the House practically declared that Lord Lyndhurst's Act, so far as it related to marriage with a deceased wife's sister, was a mistake, and that the hardship and suffering it had caused were unnecessary; and, that being so, that Act had committed a most grievous wrong, and though the whole of that wrong could not be undone, it was desirable that they should undo as much as possible. He therefore thought the retrospective operation of the measure should be preserved. Those who had inherited property, honours, or titles, or formed expectations which might be regarded as in the nature of vested rights, would in no way be touched by the measure. It would, however, be an unnecessary and a wickedly cruel hardship, so far as children were concerned, not to make this Bill retrospective in regard to their legitimacy. That retrospective principle he considered, though not absolutely essential, yet as a very important part of the Bill; and though he certainly would not drop the Bill, if the noble Earl's (Earl Beauchamp's) Amendment was carried, he would, nevertheless, ask the House to reject that Amendment.

THE MARQUESS OF SALISBURY said, he thought the speech of the noble Earl opposite (the Earl of Dalhousie) was not so clear for the guidance of the House as their Lordships could wish on so important an issue as this. It was desirable, if it could be avoided, not to come to a division, as it might further excite animosities, which all would deplore in reference to a measure of this kind; and if it were possible to avoid a division, without losing the main objects which he (the Marquess of Salisbury) and his noble Friends had in view, of course they would be glad to refrain from dividing the House. He understood that their Lordships were quite agreed that the children ought not to suffer any damage in honour or in property in consequence of the illegal marriage of their parents; but he also understood that the noble Earl in charge of the Bill accepted the criticisms of the noble and leaned Earl on the Woolsack, in which case the noble Earl must have assented to the great evil of Parliament formally consecrating a defiance of its own decrees. The noble Earl had, therefore, left the House in considerable doubt as to the real course he meant to adopt—whether the words in the clause were to stand or not, or whether the Amendment of the noble and learned Earl would be accepted. If the noble Earl insisted permanently upon the retention of these words as they stood in the Bill, of course the supporters of the Amendment would have no option but to record their views on the subject; but if he would promise to take the words into consideration, with a view, on the one hand, of meeting the criticisms of the noble and learned Earl on the Woolsack, and, on the other, of protecting the honour, property, and rights of the children who were issue of these marriages, the House might then reasonably avoid a division.

THE EARL OF DALHOUSIE said, he was greatly obliged to the noble Marquess opposite (the Marquess of Salisbury), who had expressed so much better than he (the Earl of Dalhousie) had done himself the course he intended to adopt. He thought he had said he accepted the Amendment, as well as the criticisms of the noble and learned Earl on the Woolsack. It was sufficient for his purpose if, after the passing of the Act, children of marriages of a deceased wife's sister which had already been contracted were declared legitimate. He would undertake to bring up, at the next stage of the Bill, words which would meet that Amendment; but he must still ask the House to reject the Amendment of the noble Earl opposite (Earl Beauchamp).

EARL BEAUCHAMP said, that, under the circumstances, he would ask leave to withdraw his Amendment, but upon the understanding that the words of the Amendment, which the noble Earl opposite (the Earl of Dalhousie) was subsequently to bring up, would cover the objections which he (Earl Beauchamp) entertained to the clause; if they did not he should exercise his right to urge his objection at a future stage of the Bill.

THE DUKE OF RICHMOND AND GORDON said, he should like to have it more distinctly from the noble Earl who had charge of the Bill (the Earl of Dalhousie) whether he was prepared to accept the compromise suggested by the noble and learned Earl (the Lord Chancellor)? If they got an assurance from the noble Earl that he would give effect to the criticisms of the noble and learned Earl, then it might be possible to avoid a division. Otherwise, he should be very much inclined to ask their Lordships to divide on the Amendment.

EARL GRANVILLE said, he thought the matter was clearly understood; though, if they went to a division, the Amendment would most probably be rejected. In his opinion, his noble Friend (the Earl of Dalhousie) had fully met the views of his noble and learned Friend (the Lord Chancellor).

THE LORD CHANCELLOR said, he thought that the noble Earl behind him (the Earl of Dalhousie) had said all that he could be reasonably expected to say at the present stage of the Bill. He (the Lord Chancellor) had indicated the principle in the Bill, as now framed, which he thought politically dangerous, and the direction which he desired to see followed in order to remedy it. If the Amendments which the noble Earl would propose at a subsequent stage were disapproved by noble Lords opposite, they would not be bound to accept them on account of what had now taken place.

EARL BEAUCHAMP said, he did not want to go to a division if it could be avoided; therefore, he would withdraw his Amendment, reserving his right to move it upon the Report, or on the third reading of the Bill.

Amendment (by leave of the Committee) *withdrawn.*

On Question? "That Clause 1 stand part of the Bill."

THE DUKE OF BUCCLEUCH asked whether the noble Earl in charge of the Bill (the Earl of Dalhousie) intended still to retain in the clause the mention of Scotland, seeing that Lord Lyndhurst's Act did not apply to Scotland?

THE MARQUESS OF LOTHIAN said, he should also like to know whether the Bill would refer to Scotland?

THE EARL OF DALHOUSIE said, that the Amendment which had stood in his name would have left out Scotland altogether.

THE DUKE OF BUCCLEUCH said, that if Lord Lyndhurst's Act, against which this Bill was directed, were referred to, it would be found that Scotland was expressly excluded from it.

THE DUKE OF ARGYLL said, he wished to know whether the noble Duke opposite desired that Scotland should be excluded altogether from the Bill, so that in Scotland it should not be legal, and in England it should be legal, to marry a deceased wife's sister? That would be a very unsatisfactory state of the law.

THE DUKE OF BUCCLEUCH said, that he wished to leave the ancient law of Scotland as it was at present.

EARL GRANVILLE: Does the noble Duke move any Amendment?

THE DUKE OF ARGYLL said, that there were already serious differences between the Marriage Laws of England and Scotland. In his opinion, the law of Scotland was superior to that of England in several particulars. For example, he approved the doctrine of *legitimatio per subsequens matrimonium.* He, however, thought the Bill ought to be extended to Scotland, as it was inexpedient to increase the existing differences in the Law of Marriage as between the two countries, so closely united as they were in all other matters. He could not conceive that the House of Commons would accept a Bill of this kind which excluded Scotland altogether.

THE MARQUESS OF LOTHIAN said, he wished to point out that the Bill, as applying to England, only referred to civil marriages; but that, if passed as it stood, it would affect all marriages in Scotland, civil and religious.

LORD BALFOUR said, he ventured to think it would be absolutely necessary to leave the words as they stood in the Bill; at any rate, to include Scotland within the scope of the Bill. As he understood it, the reason of the difference in the wording with reference to England and Scotland was owing to a difference in Ecclesiastical Law. But if these marriages were to be legalized at all, which he certainly would deeply regret, it seemed to him a somewhat extraordinary proposal to make a difference between the law of England and Scotland on the point.

THE BISHOP OF OXFORD said, that with reference to some criticisms which had been made on his speech by the noble Earl (the Earl of Dalhousie), he wished to disclaim any intention of discussing the question in a spirit of bitterness, when he used the word "honest." He had employed that term in a strictly Parliamentary sense—that was, when a person did not give an answer to a question fairly put, he did not think that was honest. Bitterness was far from his feeling.

Question put, and *agreed to.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 2 (Excepted cases); and Clause 3 (Provision for saving rights), *agreed to,* without amendment, and *ordered* to stand part of the Bill.

THE EARL OF DALHOUSIE, in rising to move the following new Clause;—

"No proceeding, ecclesiastical or civil, against any clerk in holy orders, after the passing of this Act, shall be affected by anything in this Act contained,"

said, he had not taken up this Bill with any intention of attacking the Church, neither had he any intention of allowing it to be made a weapon in the hands of others for that purpose. The object of the clause was to prevent interference from the outside with the discipline of the Church, and to maintain the law regulating legal proceedings against ministers of religion in its present form. There were many clergymen, no doubt, who would object to celebrate these marriages; but there were many also who would not object. A movement had been set on foot, having for its object the organization of an association of clergymen who should have no objection to marry persons wishing to contract such marriages, or to allow them to receive the Holy Communion. He hoped in that way parties contracting these marriages would not be obliged to risk a refusal by addressing themselves to clergymen who might be unwilling to perform the ceremony. Any action against a clergyman maintainable now would be maintainable after the passing of the Act.

Amendment *moved*,

After Clause 3, to insert as a new Clause:—"No proceeding, ecclesiastical or civil, against any clerk in holy orders, after the passsing of this Act, shall be affected by anything in this Act contained."—(*The Earl of Dalhousie.*)

EARL CAIRNS said, he fully agreed with the object of the clause, and would suggest that the object of the noble Earl opposite (the Earl of Dalhousie) would be better carried out if the clause were made to run as follows:—

"No proceeding, ecclesiastical, criminal, or civil, against any clerk in holy orders, after the passing of this Act, for or in respect of any act done or omitted to be done by such clerk or other minister of religion in the performance of the duties of his office, shall be affected by any change in the law in this Act contained."

He thought the alteration as proposed would bring out more clearly the noble Earl's meaning.

THE LORD CHANCELLOR said, that the meaning was clearly the same in both cases.

LORD DENMAN said, that he could have no possible objection to Clause 3, because it would leave the law exactly as it was at present.

THE MARQUESS OF LOTHIAN moved to further amend the clause, by inserting, after "clerk in holy orders," the words "or other minister of religion," so as to protect ministers of the Church of Scotland in the same way.

LORD BALFOUR said, the Amendment of the noble Marquess (the Marquess of Lothian) was entirely unnecessary as regarded Scotland; because he (Lord Balfour) did not think any action ministers of the Church there might take in such a matter could be brought under the view of the Civil Courts of Scotland.

THE EARL OF DALHOUSIE said, that, as the Amendment would do no harm, he was perfectly willing to accept it. If the Amendment of the noble and learned Earl opposite (Earl Cairns) made his (the Earl of Dalhousie's) own Amendment more clear, he should also gladly accept it.

Amendment (*The Marquess of Lothian*) *agreed to.*

Amendment (*Earl Cairns*) *agreed to.*

New Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

On the Motion of The Lord STANLEY of ALDERLEY, the following was inserted as a new Clause, after the one just added:—

"Provided also that nothing in this Act shall remove wives' sisters from the number of those persons adultery with whom constitutes a right on the part of wives to sue for divorce, under the Divorce Act of 1857."

Clause 4 (Short title) *agreed to*, and *ordered* to stand part of the Bill.

House *resumed.*

Report of Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 112.)

PUBLIC HEALTH (DAIRIES, &c.) BILL.

(*The Lord President.*)

(NO. 92.) SECOND READING.

Order of the Day for the Second Reading read.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL), in moving that the Bill be now read a second time, said, that its object was to deal with the regulation and direction of dairies and cowsheds on farms under the Contagious

Diseases (Animals) Act, 1868, and to provide proper and better machinery for the purpose. The provisions of the section of that Act had virtually become a dead letter; and, therefore, the Bill under notice made a change in the administration of this law by transferring, from the Privy Council to the Local Government Board, the power of making orders for the inspection, licensing, and direction of dairies. Their direction and regulation would thus be placed in the hands of the sanitary authorities for rities constituted under the local autho- Diseases (Animals) Act. He would move the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

LORD BALFOUR said, he should very much like to know at whose request these changes were to be made; because he ventured to think that not only would they serve no useful purpose, but they would be exceedingly unpopular, and would, perhaps, have the effect of rendering the Act a dead letter in Scotland. The present law had been in operation for four years in Scotland, and had been worked with general approval, and with a great amount of success. By the present Bill, the authority in Scotland for putting it in force would be taken from the county committee and placed in the hands of the parochial boards, which were sanitary authorities under the Public Health Act of 1867. He had been a member of the county committee in two counties, both of which had worked the Act for four years; and they had done it with very little friction, and he believed with very general practical good. In the county of Stirling, for instance, which was one of those to which he had referred, very soon after the Order of the Privy Council came out in 1879, it was put in force, and no less than 1,100 persons were shortly after registered as keepers of dairies and other places for the sale of milk. The Act had been worked in that county at, he believed, an annual expenditure of £10 or £15, or, perhaps, at the outside, £20. But, if this Bill passed as it now stood, for the one authority there would be substituted no fewer than 27 different authorities, there being no less than 27 parishes in the county of Stirling. It was most unlikely that those 27 different authorities would all take the same view of their duty in enforcing the Act; and the consequence would be, that they would have, in one parish, a totally different rule obtaining from that which obtained in the parish next to it; and not only would that cause very general dissatisfaction, but it would cause a very large increase in expense in the working of the Act. In addition to that, no one who knew the constitution of parochial boards in Scotland would think for a moment that they were as satisfactory an authority for this purpose as the county committee, which was now the yeahority. He had himself been for 15 and thereforeman of a parochial board, anything against did not wish to say garded the particular chial boards as re- they were constituted. poses for which duty was to look after the ir particular poor, and the local sanitary lief of the of the parish; and he thought tecessities totally unfitted, by their constitutey were the small area over which theyn and authority, for having any discretion had ferred upon them in a matter of ton- kind. As to England, he knew nothinis of how the Act worked there; but he hoped that the point he raised as to Scotland would be carefully considered before the Bill got into Committee, and that, at any rate, sufficient time would be given to the local authorities in Scotland to express their opinion upon it. That they had not yet been able to do, in consequence of the short interval since the Bill was printed.

LORD STANLEY OF ALDERLEY objected to the application of the Bill to England, since the sanitary officers or nuisance inspectors were very frequently townsmen who were not too well acquainted with the requirements of farmers and of rural life. This Bill would, in all probability, cause a great increase in the rates, or would be used as an excuse for increased salaries.

THE DUKE OF RICHMOND AND GORDON said, that while he thought the inspectors of nuisances and the officers of the Local Government Board did their duty, he believed that the Bill, as regarded England, proposed a very good change, and he thought it would be found to be very useful. There was, however, a great deal in what his noble Friend (Lord Balfour) had said with regard to Scotland. He (the Duke of

Richmond and Gordon) should not like, at that moment, to say that the Bill was equally wanted for Scotland, or that the alterations proposed would be found to work so well, or to answer there as in England; and, therefore, perhaps the noble Earl opposite (the Lord President), before the next stage, would consider whether it was necessary to include Scotland in its provisions, supposing he was convinced by the statement of his noble Friend that it would not apply so well to Scotland as to England.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that he thought the Bill would be clearly an advantage to England, and also to Ireland; because it appeared that the local authorities under the Contagious Diseases (Animals) Act had not the means of carrying out this purely sanitary inspection in any satisfactory way. With respect to Scotland, he should be ready to consider the matter. He was aware that they were under different conditions in Scotland to what they were in England, although he was under the impression that this change was as much needed there as here. The change had been brought forward in connection with, and with the approval of, the Local Government Board in England, the Local Government Board in Ireland, and the Board of Supervision in Scotland. He should, however, inquire further into the Scotch case, and he would look carefully into the objections raised by the noble Lord opposite (Lord Balfour) before the Committee stage.

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 28*th instant.*

FACTORIES AND WORKSHOPS AMENDMENT BILL [H.L.]

A Bill to amend the law relating to certain factories and workshops—Was *presented* by The Earl of DALHOUSIE; read 1^{a}. (No. 113.)

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 19*th June,* 1883.

The House met at Two of the clock.

MINUTES.] — PRIVATE BILLS (*by Order*)—*Third Reading*—Halesowen Railway *; Plymouth and Dartmoor Railway *; Pontypridd, Caerphilly, and Newport Railway *; South London Tramways *, and *passed.*

PUBLIC BILLS—*Ordered—First Reading*—Electric Lighting Provisional Orders (No. 9) (Bristol, &c.) * [238]; Public Buildings (Doors) * [239].

Committee — Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Sixth Night*]—R.P.

QUESTIONS.

LAND LAW (IRELAND) ACTS—RIGHTS TO TURF AND SEA WEED.

MR. THOMAS LEA asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is correct that those tenants on the Mount Charles and other neighbouring estates in Donegal, who have taken advantage of the Land Acts to have fair rents fixed by the court, have since been deprived of those privileges of turf and sea-weed which they have always enjoyed?

MR. TREVELYAN: I am informed that the circumstances are as stated. I cannot take it upon myself to offer a legal opinion as to whether or not the tenants have any remedy; but if, as described in the Question, the advantages of which they have been deprived were "privileges" accorded to them by their landlord, and not legal rights, it seems to me doubtful whether any legal redress could be sought. I understand that in some of the cases referred to appeals are pending, and that it is expected that when the appeals have been heard, some arrangements will be come to as to the cutting of turf and sea-weed.

FISHERY PIERS AND HARBOURS (IRELAND)—PIERS IN COUNTY DONEGAL.

MR. THOMAS LEA asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is decided what piers in the county of Donegal will receive a portion of this year's grant?

MR. TREVELYAN: A sum of £750 has already been granted to Downies Bay and Rannagh Piers, and proposed grants in other cases are still under consideration.

LUNATIC ASYLUMS (IRELAND)—EFFICIENCY.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If the public lunatic asylum system in Ireland is in a high state of efficiency; whether that state has been arrived at through the action of the inspectors and the department under their control; whether the cost of the department is proportionately far below the English and Scotch departments; and, why it is proposed to abolish a department?

Mr. TREVELYAN: While admitting the efficiency of the lunatic asylums system, the Government are of opinion that it is capable of undergoing changes for the better, some of which could not be carried out without the proposed change of control. I need not refer the hon. Member to the Report of the Commission, which he knows so well; but that Report is an authoritative document, and it proves that the opinion of the Government is shared by others. With regard to the relative costs of the Irish and other Departments, I am not prepared at present to enter upon any analysis of the subject; and I do think that a mere comparison of the number of persons employed in the respective Departments, and of the amount of salary paid to them, would be a sufficient basis upon which to form a sound opinion. I stated yesterday, in reply to a Question put by the hon. Member for Clonmel (Mr. A. Moore), that whenever the Bill which is already under consideration in "another place"—Lunatic Poor (Ireland) Bill—comes before this House, I will explain fully the policy of the proposed change; but I do not think I can satisfactorily do so in reply to a Question.

DISTRICT PROBATE REGISTRARS (IRELAND).

Mr. MARUM asked Mr. Chancellor of the Exchequer, Whether the attention of Her Majesty's Government has been called to the fact that, under the Inland Customs Act, 1881, the five district registrars for Kilkenny, Tuam, Ballina, Cavan, and Mullingar have been deprived of a large proportion of the fees by which they had been theretofore paid; that during the passing of the Bill (now the aforesaid Act) the late lamented Lord Frederick Cavendish had several interviews with the Members for the county and city of Kilkenny, one of whom had placed a question upon the Notice Paper of the House in relation to the district registrar of Kilkenny, Mr. James Roe; that, furthermore, notice of opposition to the Bill was given, and that Lord Frederick Cavendish distinctly promised that a fixed salary by way of compensation would be given; that, in a letter dated May 16th 1881, addressed to the Marquis of Ormonde, the late Lord Frederick Cavendish gave an assurance "that such claim for compensation would be duly recognized by the Treasury;" that, by a letter of the Treasury, dated 26th September 1882, seeking for certain Returns of amounts received by the several registrars, it appears that such compensation is proposed to be calculated upon averages of three years' receipts of fees prior to 1st June 1881, whereas the registrars submit that those averages should be calculated upon such receipts during the period including years up to 1st June 1883, during which there has been a large increase in the annual fees with a prospect of augmented increases; that, up to the present moment, no compensation whatever has been received by these registrars, nor even tendered to them; that, under all the circumstances of the cases, Judge Warren, of the Probate Court, Dublin, has expressed his opinion—

> "That he concurs in Mr. Roe's view as to the principle on which his compensation ought to be calculated, having regard both to considerations of justice and the promises made on the part of the Treasury before 'The Inland Revenue Act, 1881,' was passed;"

that, notwithstanding such opinion, the Treasury have, in reply to the learned judge dated the 12th instant, declined to accede to this suggestion, and have merely alleged general precedents which do not apply to such exceptional cases where the change was sudden, was unopposed upon the faith of assurances as before mentioned, and where the receipts of the office obtained an impetus that occasioned the increased results for the last two years owing to the personal exertions and local inquires made by Mr. James Roe previously to 1st of June 1881; and, whether Her Majesty's Government will, under the exceptional circumstances of this case, reconsider their determination?

Mr. COURTNEY: This Question has been put down without Notice; but I have been able to refer to the Correspondence which has taken place on the subject. I have every reason to believe that no pledge was ever given that the compensation promised to these gentlemen should be assessed in any particular manner. It has, in fact, been calculated in the manner usual in such cases, and payment of the amounts due for 1882 was directed in February last. If it has not been received the fault does not lie with the Treasury. Only one method of dealing with the case was possible beyond that actually adopted—namely, that these five Registrars should be given a fixed salary. But, as the Irish Judges have recommended proposals which would materially affect the position of these gentlemen, it is inexpedient to fix salaries for them until these proposals have been considered and decided upon. As I understand the hon. Member, Mr. Poe, one of the district Registrars, thinks his compensation for losses inflicted on him by a change introduced in 1881 ought to be increased, because of the growth of business which has taken place since that date. It would be very hard to justify the adoption of such a course. There is nothing exceptional in the case; and I cannot hold out any hope of any change in the method of calculating the compensation.

ORDER OF THE DAY.

—o—

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 18th June.*]

[SIXTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 2 (What is corrupt practice).

THE CHAIRMAN said, with regard to the first Amendment in the name of the hon. and learned Member for Kilkenny (Mr. Marum), he would not say it was germane to the Bill; and he was certain that it did not appertain to the present clause, and, therefore, it could not now be moved.

MR. MARUM said, he would then move the Amendment next in his name on the second page of the Notice Paper. He proposed to add at the end of the clause a Proviso that the word "intimidation" in the Corrupt Practices Act of 1854 should not mean in Ireland intimidation within the meaning of the Prevention of Crime (Ireland) Act, 1882, or otherwise than within the meaning of the present Bill as affecting England and Scotland. The Committee would remember that the words in the Act of 1882 were exceedingly stringent with reference to intimidation. That Act set forth that every person who wrongfully inflicted intimidation should be liable to severe penalties; and it went on to say that intimidation included any words spoken or act done in order to put any person in fear of any injury or danger to himself, or to any member of his family, or anyone in his employment, or in fear of any injury to, or loss of business or means of living. If the word "intimidation" meant that, under this Bill, a person who was, for instance, in favour of Sunday Closing or Free Trade might, by advocating those principles at an election, be placed in a very serious position. If loss resulted to any voter, he might be held to be included in this clause. It would be unfair to say that in England intimidation meant one thing and in Ireland another, and that Ireland should come under the very stringent Proviso of the Act of 1882, for the purposes of this Bill. It was for that reason he proposed the Amendment he was about to move; and as the Attorney General had been kind enough to say that he would accept it with a certain limitation, he should be willing to adopt any wording which commended itself to the judgment of the hon. and learned Gentleman, provided it embodied the principle which the Amendment contained. He suggested that the point would be best covered by using the words "intimidation as defined by the Corrupt Practices Act, 1854."

Amendment proposed,

In page 2, at end, add "Provided, That for the purposes of this Act the expression 'intimidation' in the Corrupt Practices Act, 1854, shall not in Ireland mean intimidation within the meaning of the Prevention of Crime (Ireland) Act, 1882, or otherwise than intimidation within the meaning of this Act as affecting England and Scotland."—(*Mr. Marum.*)

Question proposed, "That those words be there added."

The ATTORNEY GENERAL (Sir Henry James) said, he thought it would be seen that this Amendment could not possibly be accepted. When he proposed to assent conditionally to the Amendment the word "intimidation" appeared on the face of the clause. They then had the words "or in any other manner practises intimidation" in the definition of undue influence. But they had now struck out the reference to the Act of 1854, and in the definition of undue influence the word "intimidation" did not appear. The section of the Act of 1854 referred to by the hon. and learned Member for Kilkenny had now nothing to do with this Bill. They could not, then, accept the Amendment of the hon. and learned Member, as, in consequence of the change which had occurred, it did not refer to what was contained in the clause.

Mr. MARUM said, he agreed that the expression "intimidation" was not now in the definition. He wanted to meet the case of intimidation as it was defined in the Act of 1854; and he thought that the words he had suggested would cover what was intended in the best way. Of course, undue influence was only one species of intimidation. In the form he now proposed to introduce the Amendment he thought it would be both useful and necessary.

Mr. WARTON said, the Amendment was unnecessary. There was no definition of intimidation in the Act of 1854, except in a certain sense—there was no exhaustive definition.

Mr. PARNELL said, he wished to ask the Attorney General whether he was correct in supposing that the only intimidation to be punished under this Bill would be that coming under the definition of undue influence? If that were the case, he hoped his hon. and learned Friend would not think it necessary to press his Amendment. He thought it would be objectionable to introduce into the Bill an expression which was not now in it.

Amendment, by leave, *withdrawn*.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

Mr. RAIKES said, he thought before they passed from this clause it would be well to take note of the important change which it made in the law. A portion of the clause would be a re-enactment of the existing law with regard to bribery, undue influence, and personation. But it included in the definition of corrupt practices the offence of treating as defined by the preceding clause; and the effect of this, on the whole, he believed, would be to purify elections. It was, as he had already stated, desirable that they should not pass from the clause without taking notice of this very important change; because the penalties which followed in the subsequent clauses would now attach to treating in a way they had not done before. It would, therefore, be necessary for the Committee to scrutinize those clauses very closely which provided for the penalties to be inflicted for this offence. Treating was sometimes a matter scarcely to be distinguished from hospitality, and it was to be hoped that the Judges who had to administer the Act would be extremely careful to arrive at some definition of what constituted treating. If every Member of that House was to be exposed to the penalty for corrupt practices for every act of treating that might be committed by persons associated with elections, it was much to be desired that the Judges who would discharge the onerous responsibility cast upon them by the Bill would be guided by a more just appreciation of the affairs of life than had, apparently, guided the framers of this portion of the Bill.

Mr. LEWIS said, he also wished to draw attention to the change in the law in reference to treating, and the penalties incurred in connection with it, by persons who were not candidates. With regard to those persons, they knew that the Bill, as a whole, was of the most violent and severe character, and it was as a whole that they must look upon it. Whereas, hitherto, in the case of a person not a candidate, treating was looked upon as a minor offence, by the present clause, combined with Clause 5, a man might be liable, in addition to the disqualifications set forth, to be sent to prison for a term not exceeding two years with hard labour. He hoped that the operation of the Bill would extend to every gradation of political life, from the Prime Minister downwards, and that the stream of pure water, so to speak, which they proposed to throw upon the constituencies would also be thrown upon the Treasury Bench. He desired the

Committee to note that, although he was disposed to allow the clause to pass without opposition, it by no means followed that this would be the case with regard to that portion of the Bill which imposed the serious penalties by which these offences were to be dealt with. He would not detain the Committee further than to say that in not voting against the clause he distinctly reserved to himself the right of criticism upon the punishments of the acts specified, because he considered the Bill in this respect was most severe and unjustifiable.

MR. O'BRIEN said, he trusted Irish Members would divide against this clause. The Attorney General had made a considerable concession, so far as the political effects of the clause were concerned, by getting rid of a set of words of immeasurable vagueness; but with regard to spiritual influence, he had decided on another set of words which were more than equally vague. His view of the matter, and that which might be taken by an Irish Judge on the eve of an election, were two very different things. The Amendment of the hon. Member for the City of Cork (Mr. Parnell) would have given ample guarantees against any act of spiritual intimidation; in fact, it would have put into unmistakable language that which the Attorney General had, over and over again, declared to be the concession he intended to make. Irish Members did not object to priests being put upon the same footing with regard to corrupt practices as other persons; but they certainly did object to the Irish Catholic priests being singled out for these offensive provisions of the Bill, which meant that it was found necessary to restrain them from all sorts of abuses. He did not think there was a priest in Ireland who would not argue that it was illegal to refuse the Sacraments, or threaten a man with excommunication for political reasons. It seemed to him that some such Proviso as that indicated last night would answer the purpose of the Attorney General. But he must protest against the insinuation that ran through a great portion of these discussions, that there was anything in the present attitude of Irish Catholic priests to justify their being treated as persons who must be restrained by a special penal enactment from the practice of their legitimate influence, although, no doubt, at one time they had exercised powers which they did not dream of exercising at the present day. During these discussions there had not been the slightest proof brought forward to show that since the Ballot Act released the Irish people from the power of the landlords, any Irish priest had exceeded his legitimate rights in regard to elections. He thought the only form of spiritual intimidation practised to-day in Ireland was the intimidation of the clergy themselves connected with the recent Circular. He could not help thinking that these suspicions with regard to Irish Catholic priests came rather ungracefully and ungratefully from Ministers who had been taking such pains of late to conciliate and utilize that body. Whoever had destroyed the influence of the Irish clergy, the Irish people certainly had not done so. And he did not think that Irish Members ought to be parties to a vague and sweeping clause of this kind, which would put it in the power of Judges like Justice Keogh to insult Bishops and priests, under the pretence of drawing a line, or attempting to draw a line, where legitimate action on their part ceased, and undue influence began.

MR. MARUM said, it was his intention, by an Amendment which he would move at a convenient time, to suspend this clause during the period of an election. With regard to what had fallen from his hon. Friend the Member for Mallow (Mr. O'Brien), in reference to the Papal Circular being in the nature of an intimidating document, he wished to say that he denied that it had the least character of intimidation about it. It was merely an admonitory document.

MR. MACFARLANE asked the Attorney General if he would indicate that he was willing to grant a Court of Appeal in the case of decisions under Clause 3? If candidates in the Three Kingdoms were allowed to appeal from the decision of the Judge who tried Election Petitions, he believed that a statement on the part of the Attorney General intimating that this right would be conceded would smooth the passage of the clause, and remove from the minds of candidates some of the fear of the penal consequences which might be inflicted upon them under this Act. By a Bill which had passed through the Standing Committee on Law, the House had granted the right of appeal in criminal cases, and he would like to extend that right to criminal Members of Parliament. Undue influence was a matter that could not be proved. It rested entirely upon the opinion of the Judge whether a candidate had committed that offence; and he contended that Members ought not to be banished from that House for what, in the opinion of a single Judge, might be undue influence. It was perfectly impossible for any candidate to control the language of persons who spoke in his behalf. He could not, on the platform, hold each speaker by the throat while he was speaking, and give him a squeeze whenever he seemed to be on the point of saying anything which might be construed into an act of undue influence; it was impossible to turn a speaker on and off like a tap; and, however careful a man might be, something would leak out which might bring him within the scope of this clause. The result would be that no candidate would be safe if he allowed anyone to speak in his behalf. He was bound to say that the Attorney General had shown a disposition to make reasonable concessions in this matter; and he trusted that he would make this further concession of granting a Court of Appeal.

Mr. PARNELL said, he thought the clause, as it had been altered, was a very material improvement in the law, and one which ought to be recognized. But, apart from the alteration in the law, they had gained what was of more importance in the universal declarations coming from all sections of the House, that the famous Galway Judgments were not according to law. Now, he thought the value of such admissions during the progress of the debate was even more than that of the amendment of the clause itself. His hon. Friend the Member for Mallow (Mr. O'Brien) was desirous of taking a division against this clause; but he would suggest to him that he should recognize the advantage obtained, and allow the clause to pass without a division, so far as Irish Members were concerned, while they reserved to themselves the right of proposing some further alterations of the Bill when they came to the question of agency.

Mr. WARTON pointed out that there was a provision in the Criminal Code (Indictable Offences Procedure) Bill giving an appeal in criminal cases. There ought, therefore, to be an appeal with regard to Election Petitions.

Question put, and *agreed to.*

Clause 3 (Punishment of candidate found, on election petition, guilty personally of corrupt practices).

Mr. PARNELL said, the Amendment he proposed to move was one that provided for the exemption of counties from the operation of the Act. In making this proposal he drew no distinction between England, Ireland, or Scotland, because the Amendment applied to the three countries. They had pointed out, during the progress of these debates, that the Bill itself was not necessary in Ireland. Now, the same statement might certainly be made with regard to the counties, because the bribery and treating which this Act was intended to check had never existed in them. Again, it was not in the counties of England, but in the boroughs, that the Bill was necessary to check these great abuses of bribery, treating, and so forth; because in the latter there was, no doubt, a population which was susceptible, to a greater or less extent, to the corrupt influences of electioneering agents, and other persons acting in the interests of various candidates. It was a matter of notoriety that votes in boroughs were sold for a pint of beer, and that frequently voters sold themselves to both sides. He hoped the Committee would recognize that this Amendment was a reasonable one, and that its adoption would not in any way interfere with the object with which the Bill was introduced.

Amendment proposed, in page 2, line 7, to leave out the words "county or."—(*Mr. Parnell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir CHARLES W. DILKE said, the Bill dealt not only with corrupt practices, but also with the expenditure at elections, which it was expected would be very much reduced by its operation. As the question of expenditure applied to counties as well as boroughs, the Government could not consent to strike out the words proposed to be omitted by the Amendment.

Sir R. ASSHETON CROSS said, he was glad to hear that the counties were much less corrupt than the boroughs.

But he was afraid there were a good many people who, if they found themselves shut out from the boroughs, would creep into the counties, and commence their corrupt practices there. As he did not want that, he was not in favour of the Amendment.

MR. BIGGAR said, the right hon. Gentleman the President of the Board of Trade had just said that the Bill was intended to lessen the expenditure at elections. He did not know that treating in Ireland had been carried to a very great length; but he did know that the expenses in Irish counties had been exorbitant. That was principally so in cases where the candidate was expecting some title, perhaps, or where a lawyer was interested in increasing the expenses. The popular candidates, however, never spent money in this way. With regard to undue influence, he pointed out that the difficulty of the candidate in the case of counties was so much greater than in boroughs, because he could not personally supervise the action of persons in his behalf at remote places in the county, where things might be done of which he had no knowledge whatever. For these reasons he considered the Amendment of his hon. Friend a legitimate one, and he thought the Committee should agree to it. The expenditure in counties was perfectly scandalous, and he thought it should be curtailed as much as in the boroughs.

MR. PARNELL said, he always desired to consult, as much as he was able, the opinion of Members concerned in any particular question. This question applied to the Three Kingdoms, more especially to England. However, as no English Members had spoken in favour of the Amendment, he should not put the Committee to the trouble of dividing, but would ask leave to withdraw it.

Amendment, by leave, *withdrawn.*

MR. PARNELL said, he trusted the Committee would adopt the Amendment he was about to move. He did not wish to go unnecessarily over the old ground; but they had repeatedly pointed out that if there were any case at all for the stringent provisions of the Bill in regard to corrupt practices at elections, that case only existed in reference to the Irish boroughs; certainly no such case could be, or had been, established with regard to the Irish counties. Even in the case of the boroughs, corruption, where it had existed, was becoming a thing of the past; in any case, one certainly need not go beyond the counties in order to meet with absolute purity of election in Ireland. He trusted, therefore, that the Government would yield in this matter to the wishes of Irish Members on those Benches by adopting the Amendment standing next in his name.

Amendment proposed,

In page 2, line 7, after the word "borough," to insert the words "in Great Britain, or a borough in Ireland."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the Government could not accept the Amendment, which would amount to a permission to indulge in corrupt practices in counties in Ireland.

MR. LEWIS said, it would be impossible for him to vote for the Amendment.

MR. O'DONNELL said, the argument of the hon. Member for the City of Cork (Mr. Parnell), as to the absence of corruption in Irish counties, held good with regard to English counties also. Still, in the face of the many possible developments of corrupt ingenuity, he thought it would not be well to throw open the counties to the promoters of artistic corruption. He would point out the danger to which Irish counties were exposed, a danger clearly foreshadowed at the recent election in the county of Londonderry. On the occasion of that election, Londonderry was placarded by the Government candidate, and in those placards the electors were asked to "vote for Porter and fair rents." This act, although in a legal sense its authors escaped under the existing law the charge of corrupt practice, was, no doubt, substantially corrupt; and it really amounted to offering to bribe a community out of the pockets of the landlords. In that respect the bribery practised by the Irish Attorney General in the county of Londonderry differed from cases of ordinary bribery, in which voters were paid out of the pocket of the candidate. The Irish Attorney General, in following out the unique Liberal policy, as he had already pointed out, had proposed to bribe the electors of the county of Londonderry out of the pockets of the landlords. Now, it was quite conceivable, say, that at the next Election in Ireland, looking at the desperate condition of the fortunes of the Liberal Party in that country, that Members of the Government might have to push their endeavours a little further than the Irish Attorney General had in the county of Londonderry, and might just go over the border line between legal and illegal corruption. Therefore, in view of the very possible extension of Liberal ingenuity, he thought it would not be well to throw open the Irish counties to the improvers upon the tactics of the Attorney General for Ireland. He could assure his hon. Friend of one thing—namely, that if the Irish counties were so thrown open he would find that the placard of "Vote for Porter and fair rents" would be very considerably improved upon at the next General Election.

Mr. PARNELL said, that in deference to the appeal of his hon. Friend the Member for Dungarvan (Mr. O'Donnell) he would not trouble the Committee to divide on his Amendment.

Amendment, by leave, *withdrawn.*

Mr. LEWIS said, he thought no one would dispute the statement that the clause was of the very gravest character, and that the Amendment he was about to propose deserved the deliberate consideration of every Member of the Committee. In order fully to understand its importance he would ask hon. Members to refer to the consequential Amendment in his name on page 15. He proposed to limit the severe punishment described in this clause to one class of offences only—namely, that of bribery. That was essentially the alteration he proposed. He was not in any way suggesting that other corrupt practices should pass unpunished, or should pass, indeed, without heavy punishment; but he certainly thought that the supreme punishment set forth in this clause should be reserved solely for the supreme offence of real personal bribery. Everybody, he thought, would agree with him that about the offence of bribery, generally speaking, there was no mistake whatever—that, as a rule, it was so manifest in its moral obliquity, as well as the effects connected with it, that one had little compunction in bringing down heavy punishment upon the person committing it. If, for instance, for the purpose of obtaining a vote, a man gave an elector £20, or even 5*s.*—for in this matter the amount did not signify—not only the law, but the moral sense of mankind, would go with them in saying that the punishment should be severe. All would be agreed that whether, as he said, the amount offered by way of bribery was £20 or 5*s.* made no difference whatever. But when they got to the debatable ground of treating and undue influence, hon. Gentlemen opposite, who had taken great interest in this matter, would follow him when he said that a very different application of the law should apply. Take the subject of treating, and he was sure the Committee would forgive him when he asked them to take into consideration the well-known case of North Norfolk. It would be remembered that in that case a well-known Member of the House was nearly unseated for a matter of this sort—it was personal treating—and if the hon. Member had been found guilty, his punishment under this clause would have been perpetual banishment from the constituency for life, banishment from the House of Commons for 10 years, and banishment from the honorary position of Justice of the Peace, and a variety of other minor disabilities, stigmatizing his character as being worthless and degraded. What were the circumstances of the North Norfolk case? The facts were these — the Member's name was a well-known one, and he need not mention it—that this Gentleman had in his billiard-room, on the day of the election, three or four joints of beef; and the meat was set out to such an extent during the election time that 60 lbs. or 70 lbs. was had of the butcher. These were supposed to be the elements of the corruption the hon. Member was carrying on. The so-called corruption was taking place in his own house; the hon. Member had his friends, and the companions of his daily life, about him; but there were other persons who had access to the rooms where the beef was set out—namely, the agents and political supporters below him in social rank. These people were seen about his house, and had the run of his billiard-room; and, no doubt, many of them took lunch there. The charge of corruption on these grounds was made by no means in a joking sense. It was deliberately made, and deliberately fought out for some days—the question put to the Judge being whether it was not a case of treating for which the hon. Gentleman ought to be unseated? In the course of the hearing the butler was called, also the cook and the butcher—the butcher to say how much meat he had supplied, the cook to say how much she had prepared for the table, and the butler to give evidence to the manner in which the meat had been set out. He (Mr. Lewis) would put it to the Committee whether, in such a case as that, they would be prepared to jeopardize a man's character for such a proceeding as that, placing him under the purview of this clause? It might be said that this was an extreme case—then let them take another—namely, the well-known rabbit case. The unfortunate gentleman interested in this case had been long since dead, and his son also who had succeeded him. In that case the charge was that the candidate had promised some of the electors, if they returned him, that he would allow them to shoot amongst his rabbits. ["Hear, hear!"] He (Mr. Lewis) was not surprised to hear that cheer from hon. Members below the Gangway on the Liberal side of the House, the Solicitor General having stigmatized the case as the worst he had ever heard of; but he did not believe in the old days it would have been possible to have got such an opinion from an Election Committee of the House of Commons. The candidate thought he was entirely within his right in doing what he did; and would it, therefore, be right to shut him out from Parliamentary life altogether for 10 years, and perpetual banishment from his borough? Let them take the case of undue influence. Everyone would admit, after the discussion of last week, that, after all, undue influence was a shadowy thing, and that the line of demarcation was by no means clear. The Attorney General knew perfectly well, as a lawyer, that it was one of those things that it would be ridiculous to define; and that there must be a variety of facts and circumstances not capable of definition, the interpretation of which must be left in the hands of the Judges, who, after all, might be wrong in their interpretation. Take the common case of exclusive dealing, which was now, he supposed, more commonly known as "Boycotting." A man unacquainted with the law—that was to say, unacquainted with the provisions of this Act of Parliament—might go to his tradesman and say—"If you expect me to continue dealing with you as I have done hitherto, you must support me." What would be the result of such a thing as that? Why, it would probably be dealt with as undue influence within the terms of this Bill. Did anyone think that the candidate so offending should be punished with perpetual banishment from the representation of his borough; or would it not rather be thought that some minor punishment would meet the necessities of the case? To his (Mr. Lewis's) mind, it would be perfectly monstrous to punish such a Gentleman with entire banishment from his constituency, and with banishment for 10 years from Parliamentary life. What did he (Mr. Lewis) ask the Committee to do? Why, he asked to discriminate between bribery and treating. There was a great deal of difference between bribery and undue influence. Surely the Attorney General could not harden his heart against his old friends? Did they not remember the wail from the hon. Member for East Staffordshire (Mr. Wiggin) sitting below the Gangway, who looked like a Gentleman who himself enjoyed good living? "Why, bless me," said the hon. Gentleman, "you would prevent me from entertaining my friends." And what did the Attorney General say to that? "Oh," he said, "it is not proposed to prohibit moderate social hospitality"—two adjectives and a substantive. That was his answer—"If you don't make both the adjectives good, don't exceed the substantive; then you may escape the penal clauses of this Bill." There could not, in his (Mr. Lewis's) opinion, have been a clearer and more satisfactory answer in his view of the case than the answer of the hon. and learned Gentleman. The hon. and learned Gentleman was wise in his generation. Most likely the hon. and learned Gentleman had been unacquainted with the North Norfolk case; and the fact of a butcher, butler, and cook being called to give evidence. Before they considered how far a man was to be allowed to go in this hospitality they should determine what would be the penalties for offences of this kind. He (Mr. Lewis) had often said there was such a thing as overdoing these enactments. He believed they had been overdone already. Enactments of this kind had been passed already, but had never been put in force, he believed, because in many cases the punishments they involved were excessive. Did anyone believe that by making these punishments the more extreme, odious, and degrading, they were going to stifle such things as the moderate social hospitality of the hon. Member for East Staffordshire? The hon. and learned Gentleman suggested that the hon. Member must keep within the lines of moderation; but how was anyone to know that he was keeping within the line of moderation that a Judge would draw if his conduct was made the subject of investigation? They had had a wonderful warning in this respect from some of the States of America; and he would trouble the Committee with a remarkable utterance from the State of New Jersey, which, many hon. Members were no doubt aware, was not one of the backwoods States, but was only divided from the State of New York and from New York City by the Hudson River. In that State, which might be called an enlightened State, they had had a stringent Bribery Law. Well, everybody said that the English House of Commons was a place of great profession; and so it was a place of very great profession and very little doing. But America was a place of very great professions also, and they started with a Declaration of Independence, and with a Constitution of vast and mighty principles, and purity ran through them all. Purity was a great part of all American enactments and manners; but, unfortunately, bribery prevailed to an immense degree; and, for the comfort of those who were fond of referring to universal suffrage as the great panacea for all bribery, he would call attention to a recent utterance of the New Jersey Legislature. A Special Committee was appointed to consider the question of Primaries, which word corresponded with our Caucuses. That was the scholastic name by which these institutions were known in America; but we knew them by the not more pleasant, although the more obvious name of Caucuses. The Committee reported that they had found the crime of bribery was universally prevalent in local, State, and national elections in that State; that it had been condoned to such an extent that the senses of the people had become blunted to the enormity of the offence; that a large proportion of the working people depended upon the election day as a regular source of income; that it was constantly reaching out after new victims; that it was utterly subversive of popular government and free institutions; that both political Parties were equally guilty of the pernicious practice; and that if the evil continued it must, in the near future, of necessity lead to anarchy and revolution. He quoted that for the purpose of pointing out that they had in that State a most stringent Bribery Law, and that, notwithstanding that stringent Bribery Law, and all the advantage of the Caucus and universal suffrage, the people had descended to the low and degraded political position he had described. Now, in order to meet the evil, what did that Committee of the New Jersey Legislature propose? The only course to pursue, they said, was to give an amnesty for the past and to begin anew; and the very first condition of that new beginning was to be a repeal of the present law relating to bribery. His interpretation of that wonderful utterance of the New Jersey Legislature was that the Caucus system did not promote purity; next, that universal suffrage did not promote purity; next, that pure professions on the part of a Legislature did not promote purity; and that a very severe law against bribery did not promote purity. Finally, they had the experience of the great American people to tell them that if they wanted to promote purity they must, first of all, declare an amnesty for the past, and then repeal all their old and stringent laws. The House of Commons should learn from what he had described that, instead of being foolish, they should be sensible; that, instead of being exceptionally severe, they should be practical; and that, instead of attempting to annihilate everyone in the Law Courts who happened to come within the Law of Bribery, they should endeavour to do what was practical, and apply common sense to these matters. What, he would ask, was the experience of England with regard to those Acts of Parliament? Had they not been evaded by both juries and Judges? Had they not been evaded by the Judges—had they not found expression in the decisions of the Judges, showing that they had ultimately shrunk from the enforcement of the law against a candidate because of the consequences that would befall that individual? One had heard, even from the most experienced and eminent Judges, that they had, after all, when they came to the broader lines of the case, had to consider whether it was proved or not—they had looked at the consciences of the individuals, and had said—"I will not only give the candidate the benefit of the doubt, but I will give him the benefit of anything approaching to a doubt." He (Mr. Lewis) could give cases where the law had not had its full effect, because there had been such severity behind a person that the Judges and juries had shrunk from it—their humanity had shrunk from the consequences which the law would inflict. Did he ask the House or the Committee to pass by the offence of bribery with just a definition of punishment? Not at all. He was prepared in this matter to go along with the Attorney General, notwithstanding that the hon. and learned Gentleman declared him to be a bitter opponent of the Bill. No doubt, he was a bitter opponent of the severity of this Bill, and such he should be to the end. He did not propose, in the least degree, to touch that clause until they came to the last three lines, which surprised and amazed him. He did not propose to interfere with the clause until he came to that part of it which touched bribery of a direct kind; and what he asked the Committee to pause at was that of casting the net so wide as to draw within this odious punishment such slight matters as a sin of the over-hospitality of the hon. Member for East Staffordshire, who seemed to be in a difficulty as to where the line was to be drawn. In the Bill there was no distinction and no discrimination whatsoever drawn between the man who committed the most flagrant act of bribery, and the man who committed the most insignificant act of treating. The Judge would have no discretion in the matter as regards some of the consequences. If he found a candidate guilty of corrupt practices, no matter how small, the consequences followed as a matter of course. If the candidate was found guilty of a slight offence he was stretched on the same bed, and put on the same rack, as if he had been guilty of the most flagrant act of bribery. He did not believe that hon. Members of the Committee, with their eyes open, if they seriously reflected on this matter, would allow such a clause to become law. He knew there was a great deal of pride in this matter. Members for Scotland, for instance, said—"You never hear of corruption in Scotland;" but with hon. Members who said that he begged very much to differ. "Sandy" might not be bought by a pound or two; but he might be caught, and was caught, with a "saxpence," or "a glass of whisky." The point to which he really wished to draw the attention of the Committee was this—that every Member should cast aside his pride. They all represented pure constituencies, no doubt. There was not a purer one in the United Kingdom than Londonderry. That he could speak of from his own experience, as his pocket was uninjured in the matter; but let them not speak of their constituencies as they spoke of their favourite dogs, or horses, or birds, or cats; let them not say—"There never was such a dog as this; there never was such a cat; there never was such a horse; there never was such a bird;" let them put aside their pride, and let them bear in mind that an accident might happen to any one of them, and that in an unguarded moment an act might be committed which, although it appeared innocent enough to them, a Judge might consider an illegal act under the Bill. They could not always be on the alert. Even the ablest and most circumspect of men sometimes were found tripping. What should be required by this clause should be to give an adequate, and not more than an adequate, punishment for an offence. In conclusion, he would ask the Committee seriously whether there should not be a distinction between the punishment meted out to direct bribery, and that inflicted in the case of treating and undue influence? Was there any difficulty in having a less severe punishment for one offence than the other? He did not believe that the majority of the Committee would deliberately inflict on probably an unfortunate and misled man, who did not intend to commit any breach of the law, such a severe punishment as they would mete out in cases of a grave and wicked character.

Amendment proposed, in page 2, line 9, to leave out the words "any corrupt practice," and insert the word "bribery."—(*Mr. Lewis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. RATHBONE said, that he would answer the question of the hon. Member for Londonderry without making a long and obstructive speech—["Oh, oh!" *and cries of* "Withdraw!"]

Sir R. ASSHETON CROSS: I rise to a point of Order. I wish to ask you, Sir, whether the hon. Member has a right to allude to a speech just delivered by my hon. Friend behind me as an "obstructive" speech?

The CHAIRMAN: I am not aware that the expression is, strictly speaking, out of Order; but I think it is one that would have been well omitted.

Mr. LEWIS: On the point of Order, I would wish to observe that the Speaker in the Chair has held that Obstruction is a Parliamentary offence, and upon this matter I am in the recollection of the Committee. If the hon. Member thinks it decent to charge me with making an obstructive speech just now, all I can say is that I do not in any way value either his judgment or his opinion.

Mr. RATHBONE (who was received with loud cries of "Withdraw!") said, if the Committee would permit him, he should like to say a word on the subject of the expression he had used. Apart from the question as to whether the speech to which they had just listened was an obstructive one or not, if it was thought desirable he would withdraw his expression, and express his regret for having used it. The hon. Member had asked this question—"Why treating should be punished as severely as bribery?" and the answer he would give to that was, that it was very often a more degrading offence. He had some experience on this subject, because at one time Liverpool was a very corrupt place; whereas now it was one of the purest in England. ["Oh, oh!"] Hon. Members seemed to question that statement; but he was giving the result of his own knowledge and experience. Liverpool was now one of the purest towns in England; but at one time, at every election of Mayor, there was something like a fortnight's drinking in the town. Some 10 or 15 years after that had ceased, and Liverpool had become a remarkably pure place, it fell to his lot to have to investigate the habits and positions of the different classes in Liverpool, and this singular circumstance came to his knowledge—that the classes of the most intelligent artizans, and those who received the largest wages, lived in worse houses than other people, and, in fact, did not live in houses of their own at all, but in lodgings. When he asked what was the meaning of that, he was told that it was because the people might have more drink. He was very much struck by that, and could not understand it; but on further inquiry he found out that the freemen of Liverpool became such by a seven years' apprenticeship; that apprenticeship was necessary in all trades, and those who had acquired the freedom, and who received high wages, were constantly demoralized by the system of treating. After that treating had ceased—that was to say, when it had been put a stop to for 10 or 15 years—its contaminating influence still remained amongst the classes who had been exposed to it, and many of the artizans who were receiving the best wages were living in hovels or in lodgings. He was happy to say that things were in a much better condition now that the generation who had been so demoralized had passed away; but he thought he had proved his case that corruption by treating was even a more degrading offence than corruption by bribery. But the hon. Member opposite said—"Don't make this so stringent, otherwise you will inflict heavy penalties upon people who had no intention of doing a corrupt thing;" but his (Mr. Rathbone's) contention was that for the protection of the candidates themselves it was necessary that the clause should be made definite and strict. They might depend upon it that the hon. Member to whom he (Mr. Lewis) had alluded would not, if this law was passed, be led to approach the danger into which he had brought himself on a previous occasion. If they wanted to stop bribery and corruption they should, as he had said, make the law definite and clear; and, what was more, they must by law make treating and corrupt influence degrading. The result of the present law had been to put a stop to a great deal of corruption; and if they now passed another good law, they would not only prevent corruption, but prevent candidates being subjected to a great deal of unnecessary worry, and being drawn into a great many unnecessary difficulties.

SIR R. ASSHETON CROSS said, he thought the hon. Gentleman had entirely failed to grasp the effect of the speech of the hon. Gentleman behind him (Mr. Lewis). The hon. Member (Mr. Rathbone) had called the speech of his hon. Friend an obstructive one; but that presumably was owing to the fact that the hon. Member had not listened to the arguments of the speech to which he took exception. It would be as well for the Committee, before they went any further, to define what the law at the present moment was, and then they would be able to see what was the change proposed in the Bill. The 36th clause of the Act of 1854 said that if a candidate at any election should be declared by any Election Committee guilty, by himself or his agent, of bribery, treating, or undue influence at such election, such candidate should be incapable of being elected, or of sitting in Parliament for such borough during the Parliament then in existence. That law was as clear as it could be, and no one wished to make the law less clear with regard to what the offence was. They were discussing now only the question of punishment; and it was clear that the hon. Gentleman who had just sat down had not the remotest notion of the fact. They were all agreed as to the definition of bribery, treating, and undue influence—that was as settled as it could be; and the question was, what should be the punishment? He (Sir R. Assheton Cross) was bound to say that though he agreed with and supported the Bill in its main provisions, he considered it was a grave fault in it that the punishments all through were too severe. He did not believe that increased severity of punishment had the effect of diminishing crime. To his mind, the natural effect of it was to make people more unwilling to enforce the law than would be the case if the penalties were moderate. What was to be the punishment inflicted upon a candidate under this clause? Why, it was that where a corrupt practice had been ruled to have been committed, it might be without the knowledge or consent of the candidate, the candidate was to be made incapable of ever being elected for or sitting in the House of Commons for the same constituency, or of sitting at all in the House of Commons for 10 years. No doubt, such a punishment as that was perfectly just where a candidate was guilty of personal bribery. He would have no compassion at all for such an offender; but what the hon. Member behind him said was, that there was a great distinction to be drawn between bribery, and treating, and undue influence, and for this reason—that bribery was an offence which was easily proved an offence about which there could be no doubt; but treating and undue influence were things which must rest quite as much on the opinion of the Judges, who at the time might be the Election Judges, as upon the facts themselves. The Judges had much more latitude in defining undue influence than in defining bribery. It was not sought to alter the law as far as treating and undue influence went; and the hon. Member and his Friends said they were quite content to leave the law as to treating and undue influence as it was in the Act of 1854—namely, that the candidate should lose his seat, but nothing else, during the Session following the commission of the offence. Let them follow the argument of the hon. Gentleman behind him (Mr. Lewis)—let them take the question of treating for a moment. He was very much afraid that though it was clearly laid down in the Bill there would be a great difficulty in deciding what was really treating, and what was not. The hon. and learned Gentleman the Attorney General had said that moderate hospitality was not treating. Well, to refer again to a case which was mentioned the other day. Suppose the Prime Minister himself, instead of staying with Lord Rosebery, had been staying with a commoner, a person with whom he went about every day, an agent. People would be coming to see him every day, and, no doubt, would be going about with him at the expense of his host—would that be considered treating? Many candidates had been unseated for far less. Because Lord Rosebery was a Peer, and the candidate who had stayed at his place was the Prime Minister, no one had ever thought of questioning their proceedings. But, unquestionably, there was great doubt and difficulty in a case like that. The candidate would go up and down the constituency with the friend with whom he was staying, and that friend would ask constituents to come and see the candidate at his house. When they came to a lower rank of society, and they found the agent asking his friends to his house, they would see the Election Judges treating the circumstances very differently to the manner they would treat such a case as that of the Prime Minister and Lord Rosebery; there would be an entirely different impression produced on the mind of the Judge. He (Sir R. Assheton Cross), and those who thought with him, did not want to diminish the severity of the present law; but they were determined not to increase it, except in cases of actual bribery, about which there could be no doubt. That was the way the hon. Member had put the case, and he (Sir R. Assheton Cross) was perfectly prepared to support him.

The ATTORNEY GENERAL (Sir Henry James) said, that, before replying to the Amendment of the hon. Gentleman (Mr. Lewis), he should have liked to have heard more speeches on the subject, had it not been for the reference to the present law made by the right hon. Gentleman who had just sat down. This clause dealt with candidates only; therefore, the observations which had been made respecting non-candidates had very little bearing upon the provision. For his part, he had not a word to say against the speech of the hon. Member in introducing his Amendment. In alluding to the present state of the law as to the punishment of bribery, treating, and undue influence, the right hon. Gentleman the Member for South-West Lancashire had correctly stated the effect of the Act of 1854; but he had, no doubt inadvertently, omitted to mention the alteration made in the law by the Act of 1868. By the Act of 1868 it was provided that where it was reported that bribery had been committed by the knowledge and consent of the candidate, that candidate should not be capable of being elected to the House of Commons during the seven years next after the date upon which he was found guilty, and further to be incapable, for a similar period, of being registered as a voter, or of holding any office, such as Justice of the Peace, and to that latter disqualification he (the Attorney General) would particularly call the attention of the hon. Member for Londonderry (Mr. Lewis). Now, the present clause disqualified a candidate from being elected to or sitting in the House for a certain number of years. The period of 10 years was fixed by the clause; but he should prefer its being reduced to seven years, as proposed in Committee on the Bill of last year. The clause then added the further penalty that the candidate should be subject to the same incapacities as if, at the date of the Report, he had been guilty of a corrupt practice. If a candidate personally committed a corrupt practice he would not meet with much sympathy, for such cases often led to the demoralization of a constituency by setting a fashion. Where a corrupt intention was shown to exist full justice ought to be done; and he had no doubt, from the experience he had had of election matters, that in some way or other the means of corruption were traced to the candidate himself much oftener than people thought. It was clear that the candidates must be protected. The hon. Member for Londonderry did not carry on the war so much against treating and corrupt influence as he did against bribery; but, following the Act of 1868, the clause contained with reference to treating, bribery, and undue influence the words, "by or with the knowledge and consent of any candidate." He thought that with regard to bribery the words of the Act of 1868 ought to remain as they were; but with regard to the offences of treating and undue influence he was ready to make this concession—namely, to leave out the words "or with the knowledge and consent of," thus confining those offences to the candidate himself, on account of the greater uncertainty there was of establishing the proof of these offences than of the offence of bribery. In his opinion, the practice of treating, which was derived from municipal elections—the Parliamentary electors being now the same body as the municipal electors—was quite as demoralizing to the action of real political thought, and, perhaps, even more so, than bribery itself. He did not see how it was possible to draw a distinction between those two corrupt practices. The expression that one was minor in its degree as compared with the other was an unfortunate one, and it would be very unfortunate to carry that idea into legislation. He might be asked why he drew a distinction as to the knowledge and consent of a candidate between bribery and treating? He did it, because there was more uncertainty in proving the knowledge and consent of a candidate in respect of treating than in regard to an act of bribery. He drew no distinction between the nature of the evidence and the desirability of stopping the practice; but the Committee would see that it was much more difficult to prove or disprove the knowledge and consent of a candidate in respect of treating than it was to disprove his knowledge and consent in respect of bribery. Bribery was a more acute act, and an act that depended upon different circumstances, and less difficult to bring within the area of the word "corrupt;" and as he was anxious that no person should suffer unless he was shown to have been personally guilty, and considering the greater uncertainty of proving in the one case than in the other, he was unwilling to incur the risk of punishing an innocent person by requiring that the knowledge and consent of the candidate with respect to treating should be the same as his knowledge and consent in regard to bribery. He also thought that they ought not only to consider the candidates themselves, but the constituencies as well, and to endeavour to free them from the existence of this great evil, even if they ran the risk of doing a certain amount of injustice. At any rate, it would make a candidate more careful and more guarded against committing an act of corruption, or of placing temptation in the way of the electors. The hon. Member for Londonderry (Mr. Lewis) said there were cases in which candidates had been unjustly convicted of bribery; but he had not ventured to cite any particular case in which he accused the Judges of having arrived at a wrong decision. But, even if it were so, there was more than one record to show that Judges and juries had wrongly convicted in criminal cases. If the hon. Member thought that the tribunal was defective and inadequate to administer the law properly, then the best course would be to change the tribunal. It was quite another thing to say that they ought to make a bad law, because there might be some extreme case in which a person might suffer unjustly. They must deal with the matter as a whole. If they were determined to deal with corrupt treating, it was useless to treat it as a minor offence. Then, with regard to corrupt influence, that was in the same position. He could not see why a man who committed an act of undue influence personally should not be punished for it; but he did not desire that he should be punished for the faults of other people, or punished unjustly. If a man committed undue influence, it was a crime which they ought to punish. If, for instance, a man gave a tenant notice to quit, or used power, as an employer, which he ought not to exercise, that undue influence ought to be checked. But he had been struck by what had been mentioned in the course of the debate, that a man should only be bound by what was done within his own knowledge and within his own consent. He would, therefore, consent at once to strike out the words "by or with the knowledge and consent of any candidate" in reference to undue influence, and the clause, he thought, would then remain very much as hon. Members wished it with respect to bribery—namely, a disqualification for seven years similar to that under the old law. If the Committee would consent to the concessions he had made the penalty would only fall upon the person himself; and by striking out the words "knowledge and consent" treating and undue influence would virtually be placed in an entirely different position to bribery, and would not receive the same extreme punishment. No doubt, all of them desired to get rid of treating and undue influence, and how it was to be dealt with was a matter fairly open to the consideration of the Committee; but he trusted the points he had raised would not give rise to any long discussion. He hoped that hon. Members would approach the subject with a desire to check the whole of these corrupt influences. As he had already said, he did not wish to deal with the general topics referred to by the hon. Member for Londonderry (Mr. Lewis). He only desired to remark that when he introduced the Bill in 1881 he mentioned then that they had made too many attempts to stop these sources of corruption by insufficient legislation. The hon. Member for Londonderry at that time said that they ought to deal with the question by administering small doses of legislation. His (the Attorney General's) reply was that they had administered too many of these small doses already, and that if they were not in earnest in the matter they ought not to touch it at all. Notwithstanding what had now been said by the hon. Member for Londonderry, he believed that the concessions he had indicated were sufficient; and he would ask the Committee to consider whether they would not afford the means of arriving at a satisfactory conclusion upon the clause?

Mr. GORST said, he thought the concession made by the hon. and learned Attorney General would very much facilitate the passing of the clause. He was very much of the opinion of the hon. Member for Londonderry (Mr. Lewis), and his right hon. Friend the Member for South-West Lancashire (Sir R. Assheton Cross), that the penalties in some of the remaining clauses of the Bill were still a great deal too severe. At the same time, in a clause that touched the candidate himself, he thought they ought not to be too lenient; because, when they were preaching and endeavouring to enforce on the rest of their countrymen purity of election, it seemed to him that they ought to begin by enforcing as strenuously as they could the same purity upon themselves, and they ought not to shrink from any reasonable consequences or penalties which a breach of the law on the part of the candidate might impose upon him. Therefore, he was of opinion that they ought to put undue influence and treating, when committed by the candidate himself, on the same footing as bribery, and visit it with a punishment just as severe. He agreed with the hon. Member for Carnarvonshire (Mr. Rathbone), and he could not conceive any more grave offence than anything like treating committed by a candidate at an election. Whatever might be done by ignorant partizans, at all events the candidate at an election should keep himself entirely free from anything like individual or personal treating. At the same time, it was much more difficult for a candidate, if treating or undue influence were committed, to show that it was done without his knowledge or consent than in the case of bribery. For instance, a speech might be made at a meeting, at which the candidate was present, by one of his supporters, and it would be very difficult for the candidate to disavow that speech on the spot. Nevertheless, it might be held that an offence was committed with the knowledge and consent of the candidate unless he promptly rose and disavowed the act. Then, again, in regard to the offence of treating, it was difficult to draw a line between hospitality and treating. If one of the supporters of a candidate, in the exuberance of his spirits, in the presence of the candidate, stood a glass of beer to a workman who promised his vote, it would be very difficult to determine on the spot whether in that act the bounds of hospitality were overstepped; and the candidate would be in the unfortunate position either of denouncing on the spot what might really be an innocent act, or of taking the consequence of being held by the Judge to have gone beyond the line, and to have allowed treating to take place with his knowledge and consent. With the Amendment which the Attorney General proposed to introduce the clause was, he believed, one which the Committee might advantageously adopt, without being open to the imputation of having imposed purity of election upon others while they were unwilling to enforce it upon themselves.

Mr. CAINE said, he must express his regret that the Attorney General had consented to modify the clause at all. He was quite satisfied that the clause, as it stood, did not go a step too far, and the modification would materially weaken it. All the candidate would have to do was to keep out of its clutches, and be careful not to spend one penny on anybody but himself during his candidature. If he took care upon that particular point he would not get into any trouble whatever. He did not see why, if treating was practised with his knowledge and consent, the candidate should not suffer the consequences. It was very easy for a man to give a nod or a wink to a candidate and then do an illegal act; but it was quite evident that that illegal act was done with the knowledge and consent of the candidate. The hon. Member for Londonderry (Mr. Lewis), in his vehement speech, had referred to two conspicuous cases—the billiard-room lunch at the North Norfolk Election, and the Launceston Election. With regard to the billiard-room lunch, the hon. Member had been careful not to tell the Committee that this important fact was drawn out in the evidence—that, although the hon. Member for North Norfolk (Sir Edmund Lacon) had provided the lunch ostensibly for his own friends, the agent took the thing entirely out of his hands, and went about telling the voters that a lunch was provided for them. No one who knew the hon. Baronet (Sir Edmund Lacon) would imagine for a moment that he provided the lunch from any corrupt motive in order to influence the voters in North Norfolk; and he (Mr. Caine) would read the decision of the Judge, in order to show how easy it was for a candidate to provide a lunch, and then for an agent to take it completely out of his hands. Mr. Justice Blackburn, who tried the case, said—

"I have, then, to come to that which finishes the cases of treating—namely, the lunch at Ormesby House, which does differ from all the rest in this—that what was done at Ormesby was done by Sir Edmund Lacon himself, personally; and no question, therefore, arises about agency or anything of the sort. A great many things were done at different public-houses, particularly, for instance, Mr. Becks giving a festival at the Ormesby beerhouse. All those I need not inquire into as to intention, because, as to them, there has been a failure of proof of any such agency as would have made the sitting Members responsible. But in what took place at Ormesby, Sir Edmund Lacon, of course, was his own agent, and from the manner in which the election was conducted, Mr. Walpole must, I think, be responsible also for what took place there; and, consequently, if what was done there was done with a corrupt intention, it would vacate the election. Now, it is an excessively imprudent thing for a candidate to provide any entertainment at all for voters. In the course of the inquiries in which I have been engaged, I have found that very often the notion has prevailed, or at least it has been thought fit that it prevailed, that to give everything by a candidate in the nature of meat or drink was fatal to the election, and that idea has been used as a very salutary shield. Repeatedly in borough elections people have said to the candidate—'Give us something to drink; you will be a shabby dog if you do not;' and the answer has been—'I would willingly do it; I should have the greatest pleasure in obliging you; but the law says, if I give you the least morsel of food or drop of drink, I shall lose my election.' That is a very salutary notion, and acts as a protective machinery to the candidate. . . . I have to see, in the present case, whether what took place at Ormesby was such as to make me think that that was the intention. In doing so, I must, first of all, make up my mind what was really done; and, upon considering the matter, I have come to a conclusion which I think is correct. The billiard-room, in which it appears this lunch was laid out, had a door opening into it, so that the people could come into it, not clandestinely, but without going through the rest of the house. This billiard-room was evidently a very convenient place for people who were to come in and out of it, and to eat and drink in it without disturbing the rest of the family; much more convenient for that than the dining-room. Then, I find, taking the cook's evidence, which I have no doubt myself was accurate, that directions were given to roast, for the purpose of being laid out cold, a sirloin of beef, ribs of beef, and a silver side of beef; the precise number of pounds weight does not appear; one does not know what quantity those joints together would represent; but the quantity of cold meat would be probably 70 or 80 lbs. weight; it could not be much less. I suppose that each person would not eat much more than a half-a-pound; and it would follow that there was meat intended to be laid out that would serve for upwards of 100 people. One little thing I may mention—the silver side, if I am not mistaken, is an inferior piece of meat, which would not generally be used at the tables of gentry of the upper class; and, consequently, that does look a little as if it was intended to provide a coarser repast than would probably be provided for people of the same rank in life as Sir Edmund Lacon. I do not know whether I am right in the fact, but that is my impression; and taking that view of the matter, and considering the quantity, the place in which it was, and, above all, considering what took place afterwards, I cannot myself much doubt that that cold meat was laid out with the intention not to confine it to the 20 or 22 gentlemen who probably naturally came to luncheon, but that it was thought that there would be a great many people about who would come in and eat it, who would come in and go out when they liked. I cannot much doubt that that was the intention with which it was provided in that way. Then comes the question, was it intended to influence the voters so as to make a corrupt intention? That is a question more or less of degree, and everybody is capable of forming his own opinion upon that; I am far from saying others may not be right and I wrong; and, indeed, upon such questions as this, when I have made up my mind in the best way I can upon the subject, I always have an awkward feeling afterwards that I might as well have decided the other way; very likely I may be wrong; it is impossible to help that. But, I must say, I do not think it was made out that it was intended to influence the votes at the time; if it had been previously told to everybody that there was this entertainment to be provided it would have been a much stronger case. If people who would be likely to be influenced by the notion that there was some cold beef to be provided at Sir Edmund Lacon's had been told beforehand—'Be sure you go and poll at Ormesby, because Sir Edmund is going to give you plenty to eat and drink,' that would have been like influencing them; but, as far as I have looked at the evidence, I can find no indication of that. I think there is enough to indicate this—that after Sir Edmund had been to the

> polling place, and after he had, on the Green, met some gentlemen who were friends of his, and said—'If you go to Ormesby House you will get something to eat and drink,' he and his subordinate also said to other people—'You may go and get something to eat and drink at Ormesby House,' and that that notion spread more and more; but in the case of every witness who was called it seems to have come upon him by surprise, and I cannot help thinking, if it had been intended to get men to vote at this particular election, they would have been told of it beforehand. If it was an inducement to a man to vote, it came rather late, when the men actually came to Ormesby in order to poll, to be told then, for the first time—'There is something to eat and drink at Ormesby.'"

The Committee would see how easy it was in such a case as this for the agent to take the matter clean out of the hands of the candidate himself, and make use of the lunch provided for a candidate as a means of corruption. The hon. Member for Londonderry (Mr. Lewis) had referred also to the Launceston case. Now, he (Mr. Caine) knew something about that case, because he had contributed to the expenses incurred in unseating Colonel Deakin. The whole question in that case turned upon rabbits, and every other matter connected with Imperial topics was set aside. [*Cries of* "Agreed!"] It was all very well to say "Agreed;" but he wished to point out that it was clearly laid down what the value of these rabbits given to the electors in exchange for their votes was. In the examination of Mr. J. L. Cowland, the witness was asked to produce a letter, which he did. The letter was read, and was as follows:—

> "Launceston, Cornwall, 5th December, 1873.—My Dear Sir,—We have a very good Court, and I have paid £1,500 on account at the Devon and Cornwall Bank. The only discordant element at the Court was the rabbit damage. Mr. Mitchell, one of the chief sufferers, said that Mr. Helton had valued the damages at your instance with him, and that in consequence he expected that I should be prepared to say what allowance he was to have. I had heard nothing of this valuation, and could only say to him and the others (five in number) that I should report their application to you, stating, however, the efforts you were making to get rid of them. It is evident that the rabbits are, in the main, supported on the tenants' crops; and it occurs to me that, pending the destruction of the rabbits, it would be a kind plan for you to put their profits on somewhat this footing."

The witness was further asked—

> "From your book, from April, 1873, to September 15th the same year, there were, as I understand, sold about 560 rabbits, getting for them £20 7*s.* 10*d.*; is that right?—Quite right. And from October the 23rd to January 27th 1,312 rabbits were sold, and £59 9*s.* 6*d.* got for them?—Quite right. For the whole of that year the sum total would be £79 17*s.* 4*d.*?—That is from the commencement of the selling of the rabbits up to this date, the 27th January."

If these were the two cases upon which the hon. Member for Londonderry (Mr. Lewis) based his argument, he thought the hon. Member had a very bad case indeed; and he regretted that the Attorney General had consented to modify the clause.

Mr. RAIKES said, it seemed to him that the concession which the Attorney General proposed to make, and which he admitted was a considerable one, would have been more valuable to the Committee if the hon. and learned Gentleman had been willing to accept the Amendment which he (Mr. Raikes) moved earlier, limiting the time during which the offence of treating was alleged to have been committed. He thought the amended clause, as it now stood, would bear with exceptional hardship upon resident candidates and sitting Members, because they would be liable to be brought to judgment on a charge of treating for acts committed by them at any time; and it was quite possible that any man who resided in a borough which he wished to represent would be precluded in future in indulging even in moderate hospitality, for fear of running the risk of its being made a charge against him whenever an election took place. That would place a sitting Member and a resident candidate in a much worse position than the carpet-bag candidate, such as the Gentleman who contested Launceston on the occasion which had just been referred to. The candidate who committed treating with knowledge and consent was still left liable to all the penalties, if it were proved that the act was done; and, therefore, the candidate who resided in a place which he desired to represent ran special risks and dangers, and was more entitled to the consideration of the House on account of his local interest in the constituency than those candidates who went into a constituency for the first time on the occasion of an election. The hon. Member for Scarborough (Mr. Caine), who had just addressed the Committee, was generally precluded by his native modesty from addressing it, except on some occasion when some other Member was in possession of it. Upon this occasion the same amiable trait appeared to have induced the hon. Member, when upon his legs, to indulge the Committee not so much with his own opinions as with those he had collected from the ruling of certain learned Judges. He did not wish to differ from the hon. Member in the estimate he had formed of the North Norfolk case brought forward by the hon. Member for Londonderry (Mr. Lewis). It seemed to him that the remarks of Mr. Justice Blackburn were very much in accordance with common sense in dealing with the question; but he wished to enter an emphatic protest against the language used by the hon. Member for Scarborough (Mr. Caine) in referring to the Launceston case. In that case what had been done by Colonel Deakin had never been regarded as a particularly corrupt act; and, in reality, Colonel Deakin suffered very considerably for what, at the most, was a venial offence. It must be borne in mind that this question of the rabbits was formerly raised by Colonel Deakin's opponent, who endeavoured to make political capital out of the unpopularity attached to Colonel Deakin, from the fact that he had withdrawn the privilege of shooting rabbits. Surely, if it was lawful for a man to go down to a constituency and make capital by condemning a certain act which had been done by a particular individual, why should it be considered that when that individual endeavoured to remove the cause of offence he ought to be branded as a corrupt candidate? The learned Judge on that occasion came to a conclusion which involved the unseating of Colonel Deakin; but there could be no doubt that there was throughout the country a widespread feeling of sympathy for the hon. and gallant Gentleman who suffered on that occasion. In that case, although it was not held to be, strictly speaking, treating, it was thought that very likely cases of the same sort might arise which might be regarded as treating on the part of the candidate himself. However, as he had said before, he should view with great suspicion any alteration of the law which would bear with exceptional harshness upon individuals, and which prevented them from indulging in acts of hospitality or kindness towards their neighbours. He admitted that the Attorney General had made a valuable concession, and he should almost feel inclined to advise his hon. Friend not to divide upon the Amendment, if the Attorney General would make a still further concession. He trusted the Committee might be told that this penalty of life-long disqualification from sitting for a constituency was not to be attached to an act of treating by a candidate. If he had any hope that the Attorney General intended to regard with favour any proposal to that effect, he thought his hon. Friend would do well to rest content with what he had already obtained by the Amendment. But up to that moment no sign had been made by the Attorney General in that direction. Nevertheless, he trusted that before the debate closed his hon. and learned Friend would be prepared to say that he was willing to except the candidate from life-long disqualification for treating, and confine it to the penalty of being excluded for seven years. If the Attorney General would consent to do that, he thought the Committee would then have obtained something in accordance with the dictates of common sense. The Attorney General had told them that they ought not to make bad laws simply because they distrusted the tribunal; but he (Mr. Raikes) was of opinion that in this instance they were passing a bad law because they had confidence that their tribunal would not enforce it. The hon. Member for Carnarvonshire (Mr. Rathbone) and the hon. Member for Scarborough (Mr. Caine) had both spoken of the protection afforded to candidates by this Bill. He quite agreed with those hon. Gentlemen that it would afford protection to candidates, simply because it would be impossible to find Judges who would be willing to expose candidates to the penalties it inflicted. He did not, however, think it was wise to go about complaining of the state of the law, and then make it so severe that they knew they could rely upon its severity for insuring that it would never be brought into operation.

MR. CROPPER expressed his thanks to the Attorney General for the concession he had just made, for it enabled him (Mr. Cropper) to thoroughly support the hon. and learned Gentleman in the clause before the Committee. It seemed to him that the penalties originally contemplated would have been too severe to follow a mere act of treating, which might not have been done by the candidate, or even with his knowledge. The clause, as amended, would, he believed, have the full approval of the Judges of the country; whereas, if it had remained unaltered, he (Mr. Cropper) did not think that approval would have been accorded to it.

Mr. LABOUCHERE said, he hoped the Attorney General would make it a rule, during the discussion on the Bill, never to yield in any way to any person professing Conservative opinions. Let the Attorney General see what was the consequence of yielding. The hon. and learned Gentleman, in order, he (Mr. Labouchere) thought, to get his Bill through, said he would yield to the hon. Member for Londonderry (Mr. Lewis). The Attorney General said he would meet him half-way. He (Mr. Labouchere) called it more than half-way; but some hon. Gentlemen did not think it yet reached that point. What happened? Why, immediately up jumped the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes), who expressed the belief that the Attorney General ought to go a little further; that he should also accept the Amendment of his (Mr. Raikes), which was that the right hon. Gentleman and every other hon. Gentleman in the House might make his constituency drunk up to a certain day without any ill effects to himself. The right hon. Gentleman wanted something more, like Oliver Twist. The Attorney General must remember that there were two ways of bribery—one was by giving cash, and the other by giving the equivalent of cash. At the present moment, and since the Ballot Act was passed, he (Mr. Labouchere) suspected there was a great deal more done by beer, and that was called treating, than by means of actual cash. There were generally a large number of persons who were willing to sell their vote for a pot of beer. As a matter of fact, the candidates themselves, in many instances, treated when it was a question of beer. He did not go out in the streets and ask men to come in and have a glass of beer with him, but he had persons to do the work for him; and if treating took place with his knowledge and consent, it appeared to him (Mr. Labouchere) to be bribery in as vicious and as objectionable a form as it was possible to imagine. He, therefore, could not think for a moment that the clause would be better when amended as suggested by the Attorney General. There was another point he would like to mention to the Attorney General. If it were proved that a person had allowed treating with his knowledge and consent, even if the words "with his knowledge and consent" were omitted from the clause, would he not be made actually responsible as though he did it himself? Would he not be accessory before the fact; and would it not be considered that as it had been done, and done with his knowledge and consent, he was as responsible as if he had actually done it himself? If so, perhaps there was no great objection to the Attorney General making the alteration; but he (Mr. Labouchere) would certainly like to be assured on the point.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that if a candidate actually employed somebody else to go about and treat, the candidate would be as responsible as if he had done it himself. But then, when they said "done with his knowledge and consent," they went beyond that, and applied the case where he had not actually employed an agent.

Mr. LEWIS said, they must all feel amused with the style of argument which was being initiated by the new Democracy, in the person of the hon. Gentleman the Member for Northampton (Mr. Labouchere), who had advised the Member of the Government in charge of the Bill not to listen to any arguments advanced by any Member on the Conservative side of the House. They were not such a set of idiots as not to know that under the iron heel of the new Democracy they would have no rights whatever. Happily, the proceedings of the House were not to be made such a perfect farce as the hon. Gentleman the Member for Northampton sometimes tried to make them; and he (Mr. Lewis) hoped the Attorney General would not be led away by anything the hon. Gentleman had said, but that he would deal reasonably with every suggestion, no matter from whence it came. The hon. and learned Gentleman (the Attorney General) assumed too much in supposing that he (Mr. Lewis) had not got a case of injustice under the present law to produce. He always said there was a most flagrant case where a Liberal Member was unseated for treating, which was not personal treating.

THE ATTORNEY GENERAL (Sir HENRY JAMES): I asked for personal treating.

MR. LEWIS said, the case he referred to was that at Bristol. It was tried by Mr. Baron Bramwell. They had at Bristol a test election—an election which had no legal bearing on the actual contest. Someone, during the test election, gave a pot of beer, and that very act upset the election which subsequently took place. That was as gross a case of a man suffering for a miserable act of so-called treating as could be imagined. And, indeed, in his opinion, never were there two greater acts of injustice than were committed against two Liberal Members, in the cases of Norwich and Bristol. With reference to the Amendment now under discussion, he thanked the Attorney General for the concession, so far as it was a concession. Considering that he (the Attorney General) had such a severe instrument to brandish about, the hon. and learned Gentleman had been very tender in the use of it; and he (Mr. Lewis) had no doubt that before the consideration of the Bill was concluded he would become even more tender. He (Mr. Lewis) was not in the habit of falling in love with concessions directly they were made; and he wondered whether the concession just made would have any good effect in regard to cases he had mentioned, and which evidently had made most impression upon the Committee—namely, those border line cases which were the causes of so much difficulty to the Judges. He did not think it would have any effect upon such cases, and he was afraid he could not accept the Amendment. He dared say he would be in a minority; but he had this consolation—that minorities were sometimes proved to be in the right. He did not consider that the concession of the Attorney General went far enough; and, therefore, he should go to a Division.

SIR WILLIAM HART DYKE said, he did not rise to detain the Committee more than a minute; and he was afraid here, again, he should incur a little displeasure from the hon. Gentleman the Member for Londonderry (Mr. Lewis). So far, however, as he (Sir William Hart Dyke) was concerned, he was inclined to support the present proposition of the Attorney General. It seemed to him that it was agreed on both sides of the House that a very grievous evil existed, both as to bribery and other kinds of corruption; and, having conceded that, what they had to do was to frame a Bill which would work fairly. It was with that view he was prepared to accept the proposal of the Attorney General. He would like to urge one word with reference to a remark which fell from an hon Friend—namely, that, even as the clause was now amended, the candidate would run considerable risk under the Bill of incurring heavy penalties. It would be necessary for them to ask themselves the question, what did hospitality mean? It was possible to conceive that a man who had an election hanging over his head would have to shut up his house altogether; because, if he asked a few notorious politicians to join him at dinner, it might be held that he was guilty of a corrupt practice. He (Sir William Hart Dyke) impressed upon the Committee to be careful not to be led away by any Quixotic idea as to corrupt practices. Unless they were very careful in this legislation, it might possibly happen that, instead of curing the evil, they might make the Bill impotent and unpopular.

MR. JOSEPH COWEN said, he thought the concession the Attorney General had made was one which the Committee might reasonably accept. They were all desirous of putting down corruption and bribery; and, though the concession was not as complete as he (Mr. Cowen) should like it to be, it was a fairly workable proposal, and he should be glad to see the Committee accept it. Hon. Gentlemen spoke of elections. They necessarily spoke of the election in the district with which they were connected; and he was not surprised to hear the different opinions which came from the different parts of the country. In the North of England treating did not exist at all; they did not know of it. It might exist in another form; indeed, he believed the political organizations which had now sprung up would develop a description of corruption which had hitherto been unknown. The point he particularly wished to press upon the Committee in regard to this Amendment was, the harsh effect it would have upon local resident candidates. Upon a man who lived in a borough, a man who represented the life of the place, who was closely identified with all the associations and societies in the borough, this clause would operate so harshly that he would rather prefer to become a candidate in a borough with which he was not associated. At any rate, he (Mr. Cowen) was disposed to accept the clause as amended by the hon. and learned Attorney General, because he thought they ought to be prepared to punish a candidate, if they were prepared to punish a constituency.

Sir CHARLES W. DILKE said, he was what might be called a local resident candidate, and yet he should have no fear of the consequences if this clause were passed. Judges, in considering election cases brought before them, had regard to the ordinary habits and practices of a man's life; and they never would regard as treating anything which was in the nature of reasonable hospitality. If a man, of course, went out of his way to entertain a constituency, of course the Judge would hold that to be treating. They were not, however, changing the law in that respect; and he did not believe the clause would be found to work any more prejudicially to resident candidates than the present law did. He might point out to his hon. Friend (Mr. Cowen) that this was not, perhaps, the very best place in the Bill for discussing a question of local candidates.

Colonel NOLAN considered that the reason for making a distinction between treating and bribing was very obvious; and he considered the concession of the Attorney General a very useful one.

Mr. O'BRIEN agreed with his hon. and gallant Friend the Member for Galway (Colonel Nolan) that the concession made by the Attorney General was a very serious and a very substantial one; still, he thought that, even as the clause would now stand, it might have some very vexatious consequences in Ireland. He (Mr. O'Brien) could very easily conceive circumstances in which the clause might prevent even ordinary hospitality. Certainly, the vagueness of the words of the clause supplied ample room for the exercise of the discretion, or indiscretion, of an Irish Judge.

Mr. H. B. SAMUELSON remarked, that his hon. Friend the Member for Newcastle (Mr. Cowen) was glad the Government had made this so-called concession. He (Mr. Samuelson) did not regard it as a concession at all. His hon. Friend thanked the Government for the concession, on the ground that he wished to see the candidate punished more severely than the voter. It seemed to him (Mr. Samuelson) that the so-called concession would have a totally opposite effect. Supposing a man in a constituency was guilty of treating, or other corrupt practice, with the knowledge and consent of the candidate, the candidate would lose his election; but beyond that he was not punished. The person, however, who treated with the candidate's knowledge and consent, and in his interest, was liable to all the penalties contained in the 5th clause. For instance, he was liable to be fined £200, to be sent to gaol for a year; he was liable to disfranchisement, to be struck off the register of electors; and he was not to hold any public or judicial office within the meaning of the Act. All that happened to the candidate, however, was the loss of his election. Supposing, in a manufacturing borough, the employers of labour chose to put in force all their power in favour of a particular candidate, and that it was clearly proved that the candidate knew they were doing so, although he did not directly authorize them to so act; the candidate would reap all the benefit of the undue influence without being punished at all. It was quite evident to him (Mr. Samuelson) that, if he chose, any candidate could prevent undue influence being used, just as much as he could prevent treating. It seemed to him that there was no great wish that the time of the House should be saved in future Sessions; for he thought that they were now only providing for the introduction of further Corrupt Practices Bills. He wished that the hon. and learned Attorney General would, when he had introduced a good section, stand by it.

Mr. CALLAN said, he could not join in the congratulations to the Attorney General for whittling away this clause. He wished the hon. and learned Gentleman had been as firm as he was yesterday, when spiritual intimidation was the subject of discussion. The concession which the Attorney General had just made would have a most injurious effect. Indeed, he (Mr. Callan) regarded it as another proof that the Government and the Attorney General were not really in earnest, or that, if the hon. and learned Gentleman (the Attorney General) was in earnest, he had Taunton before his eyes, and the reports which appeared in the papers as to his going to seek some other constituency had no foundation in fact; the hon. and learned Gentleman wished to safeguard himself in advance against what he knew to be the practice at Taunton. ["Oh, oh!"] Was it a crime, in the mind of English Radicals, to refer to Taunton? He did not at all wonder to find them ashamed of Taunton, and the practices prevailing there. He regarded the concession as a sop to treating and to corrupt practices. For what did it amount to? Why, that a candidate, if he gave his consent to treating, was not to be punished. What more subtle form of corruption was there than that of treating, not by the candidate or by any of his recognized agents, but by persons who acted on behalf of the candidate, but who were not actually his agents. He (Mr. Callan) was surprised that the hon. and learned Gentleman the Attorney General should in any way allow an opening for treating—the most subtle and most dangerous, the most insidious and the most disgraceful form of corrupt practice.

Mr. RYLANDS said, he thought it was necessary that he should say a few words, because his hon. Friends who complained of the course which the Government had taken did not in any way represent his view. If his hon. and learned Friend the Attorney General was to have any chance of carrying this Bill through in a reasonable time, and with the general concurrence of the House, he should be disposed, as far as possible, to meet the general views of the House, and not set up a standard which, in his judgment, would be very unreasonable and impracticable. Some of his hon. Friends, he thought, did not understand the effect of the concession made, which really amounted to this—If a candidate committed bribery, or bribery was committed with his consent, he would come under this clause; but if there was some treating done other than by himself, he would not come under the clause. He thought that was a fair arrangement; and he, therefore, entirely accepted the Amendment of the Attorney General.

Question put.

The Committee *divided*:—Ayes 306; Noes 47: Majority 259.—(Div. List, No. 144.)

Amendment proposed,

In page 2, line 9, after the word "practices," to insert the words "other than treating or undue influence."—(*Mr. Attorney General.*)

Question proposed, "That those words be there inserted."

Mr. CAVENDISH BENTINCK said, it appeared to him that there was, in the present day, a very serious element of corruption besides that of mere bribery and treating. That element was the surrender of opinion by hon. Members for the purpose of obtaining votes. Not long ago this subject was referred to by the hon. Member for Londonderry (Mr. Lewis), who said the Attorney General for Ireland had come forward with an election cry of "Porter and no rent," and that the effect of that was corruption. He should find another opportunity of bringing this matter before the Committee; but his reason for supporting the Amendment was that he wished, as far as possible, to cut down these punishments for acts which were not in any way looked upon as degrading.

Question put, and *agreed to.*

Mr. CALLAN proposed to insert, in page 2, line 11, after the word "candidate," the words "duly nominated." The word "candidate" was a very indefinite expression. A man might be abroad, and telegraph his address to a constituency; and he wished to provide that a candidate must be duly nominated, by being put before the constituency by the Sheriff, as a candidate, and then the penalties would apply to him. He wished to define the candidate strictly, in order to increase the penalty, and visit it on the rich and the public man just as much as on the private, obscure individual. He also wished to insert the words "or ever holding any Office under the Crown," which would strike terror into the minds of ambitious candidates who expected to hold Office and sit on the Treasury Bench.

Amendment proposed, in page 2, line 11, after the word "candidate," to insert the words "duly nominated."—(*Mr. Callan.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, Clause 6 contained a provision dealing with this matter.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 2, line 12, after the word "election," to insert the words "or treating or undue influence has been proved to have been committed in reference to such election by any candidate at such election."

Amendment *agreed to.*

Mr. RAIKES moved an Amendment limiting the period during which a candidate who had been penalized for corrupt practices could not be a candidate for the same constituency to seven years, instead of for 10, as proposed by the Bill. He thought the proposed disqualification was so severe that the Judges would seek every possible loophole to avoid a decision against a candidate; and, therefore, to make the Act work more in consonance with justice, it was desirable to reduce the term to seven years.

Mr. CALLAN, before this Amendment was put, suggested that an Amendment of his own, disqualifying such a candidate from ever sitting in the House of Commons, would properly be first considered.

Amendment proposed,

In page 2, line 12, to leave out the words after the word 'of,' to the first words 'or of,' in line 14, inclusive.—(*Mr. Raikes.*)

Question proposed, "That the word 'ever' stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) pointed out that a man might be held guilty of corrupt practices through his agent without having committed any corrupt practice himself; and he might not be aware of what the agent had done. All they had to do was to protect the constituency, and not allow the candidate to go back, lest the corrupt practices might be repeated. Clause 3, however, dealt with a person who had himself been guilty of corrupt practices; and the question was whether, having sown the seed of immorality in the constituency, he should afterwards reap the benefit of it? Those corrupt practices might make him popular in the constituency, and the object of guarding against that danger was effected by perpetual disqualification for that constituency; but it was not necessary to carry it further, as the hon. Member for Louth proposed.

Mr. O'DONNELL said, he thought it an extreme assumption that a candidate who had been found guilty of corrupt practices would continue to be popular in a constituency. A candidate who had been found guilty of undue influence or personation, or aiding and abetting personation, was certainly likely to be unpopular rather than popular; and, consequently, he did not see the necessity insisted upon by the Attorney General of excluding a candidate from ever again going before the same constituency. Even where there had been extensive bribery brought home to a candidate, he should think that, in nine cases out of 10, the candidate would be extremely unpopular with the vast majority of the constituency. Bribery, as a rule, only affected a small portion of a constituency, and was, as far as possible, carried on in the dark; because, if it was generally known that a candidate was guilty of bribery, he would become unpopular with a far larger number than those he would be popular with through bribery.

Mr. EDWARD CLARKE said, his view was that harm would be done by making the punishment too severe; and that the real object of the Bill would be attained more speedily by dealing with offences by means of prompt detection, than by making the sentences so severe that people would disapprove of them. He had the strongest objection to a provision making irremediable penalties for all time; and he believed the adoption of this proposal would cause serious hardship. Very often an offence of bribery was an act intended innocently; but one which the Judge would rightly interpret as bribery. The Committee would remember a case in which a Gentleman who sat for a short time on the Liberal Benches was unseated because he had given a holiday to a number of workmen on the polling day. That was held, and rightly held, by the Judges to be a bribe; and although it had been done several times in the same borough it was held to be sufficient to unseat him. There had been cases in which an act of charity, general in scope, had been interpreted to be an act of bribery; and Members of that House had been unseated because of gifts of coal. Such gifts were by the candidate himself; and, as the Bill stood, they would be held to disqualify him for his whole life for the same constituency; and in the case of a resident candidate, who was constantly visited by applications which came to him, whether he was a candidate or not, because of his residing there and having ample means, he might be at any time held by the Judges to have been guilty of bribery in respect to some donation he had made to a local charity. That, he thought, would be too severe a penalty. It was not with the least desire to make this Bill less effective, but, on the contrary, more effective, that he expressed these views; and he hoped the Attorney General would be disposed to accept some modification of the penalty, so far as regarded a particular borough. The Attorney General had said the object of the Bill was to prevent bribery having a lasting effect on a constituency; but 10, 12, or 15 years would take the constituency far enough from the act of bribery to prevent any such influence, and mischief would be avoided by not making the penalty too severe.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought the severity of the penalties would serve as a protection to the candidate by enabling him to refuse to pay the black mail so often levied upon him, because of the danger of doing so. He must adhere to the course which he had already stated.

LORD RANDOLPH CHURCHILL said, he thought the Attorney General had taken too large a view of the question of a compromise. He could not see why the hon. and learned Gentleman, having made one in regard to the question of corrupt practices, should not consider whether he could not make another also on the subject of penalties. If a man had got himself elected to Parliament by corrupt practices, and Parliament was disposed to take a severe view of the matter and to make it a disqualification, he had no objection to raise; but he did not see why, for a particular constituency, the sentence should be for life, while in regard to all other constituencies it should only be for seven years. He would take the case of one borough close to another. The hon. Member opposite (Mr. Arnold) represented the borough of Salford. Suppose his hon. Friend were, by some gross judicial error—for it could not be anything else, but such things would happen sometimes—suppose his hon. Friend were disqualified for life on account of corrupt practices from sitting for Salford, was it not absurdly illogical to say that it was quite right to disqualify him for life, in regard to the borough of Salford; but that he ought only to be disqualified for seven years in regard to the adjoining borough of Manchester? So, also, in the case of Rochester and Chatham, which were practically one town. His hon. and learned Friend the Member for Chatham (Mr. Gorst) might be disqualified for life for sitting for Chatham, and only for seven years for sitting for Rochester. He would take another case—namely, that of a county town. He knew an instance in which a man contested a county town, and the election was voided on account of corrupt practices, and it was decided to run him for the county at the next General Election. Was it not absurd to say that they ought to disqualify a man for life from sitting for a county town, but only for seven years for sitting for a constituency all around that town. The disqualification should cover a far larger area than the constituency represented, or the Committee ought to be content with seven years all around. If they wished to make it disqualification for life for corrupt practices of this kind, let them do it; but they should not make an illogical difference which could not commend itself to the good sense of the Committee. All the ingenuity of the Attorney General could not justify such an anomaly; and he thought the Committee ought not to be called upon to make the penalty too high.

MR. ARTHUR ARNOLD said, that, whether the fault was committed by the candidate or his agent, it seemed to him that the penalty should be borne in regard to the particular place; but the difficulty he was in was that nothing would ever induce him to vote for perpetual punishment, which was repugnant to the legislation of this country, and so repugnant to the right feeling and good sense of all mankind that, in ordinary punishments, it was never enforced. He objected to put into an Act of Parliament punishments which would exclude hope altogether from the human mind. That was a position in which he thought the Legislature ought never to place any individual. He was, however, quite content that the clause should be altered so as to inflict a severe penalty. He thought the suggestion of the noble Lord the Member for Woodstock (Lord Randolph Churchill), that it should be seven years, was by no means long enough.

Lord RANDOLPH CHURCHILL said, he had not insisted upon the punishment being seven years in all cases; but what he had said was, that it should be equal all round.

Mr. ARTHUR ARNOLD remarked, that if it were for 25 years he should not consider it too long; but he objected to the words "for ever." No punishment ought to be perpetual.

Mr. RAIKES said, he was afraid, after what the Attorney General had said in the course of the debate, that he might consider himself bound to take a Division upon the matter. He would, however, remind the hon. and learned Gentleman of one reason which had induced him to bring the matter forward. The case of treating was originally alluded to in the Bill, and he should have been willing to see bribery alone punished with the most severe punishment; but, having regard to minor offences, it did not seem to him unreasonable that the punishment should be materially reduced. If, however, it were the wish of the Committee he would withdraw the Amendment.

Mr. RYLANDS was bound to say that he did not consider that, by accepting the Attorney General's modification, they were at all precluded from discussing this part of the clause. He (Mr. Rylands) was in the position of not agreeing with the remarks of the noble Lord opposite (Lord Randolph Churchill) and his hon. Friend beneath him (Mr. Arnold), because it appeared to him that the arguments they had used hardly met the case now before the Committee. He himself saw no great choice between an exclusion for 25 years and one for life; and he was bound to say that he was not much troubled about the strict logic of the matter. If it could be shown that it was necessary to inflict such a penalty in order to check very materially the local corruption which might arise in the case of a person connected with a borough becoming a candidate, he should be very much inclined to look upon the penalty with very great favour. Of course, the object of the Bill, as it stood, was a very clear and a very desirable one. It was this—they knew that certain gentlemen within a borough frequently spent large sums of money in corrupting the constituency; and he understood the object of the clause was to prevent the possibility, at any future time, of the corrupt influence sown in a political borough being made to operate favourably if the same candidate again presented himself. That was, no doubt, a desirable object. But he remembered the case of Mr. Bevan, at Gravesend. Mr. Bevan employed a considerable number of workpeople; and, adopting the course which was usual in the borough, he allowed his workpeople to have a holiday on the polling day, and gave his manager instructions to pay the men their wages. Mr. Bevan did that in perfect innocence, and at the time he did it he did not think it was either corruption or bribery. It was the custom in the borough; but, nevertheless, it was bribery done by the candidate himself; and the effect of this clause, if it had been in existence, would have been that Mr. Bevan, who was to be the candidate for Gravesend at the next election, would have been prevented from ever sitting for that borough again. Mr. Bevan, no doubt, had great local interest in the borough; and he (Mr. Rylands) would not contend for a moment that the Judges ought not to deal even with a mistake of that kind, if it led to corruption, and they would be bound to deal with it, with the utmost severity. He knew another case which was within his own knowledge in relation to an hon. Friend of his who was a Member of the House at the present moment. Under the existing Act of Parliament a candidate had the right to pay the travelling expenses of voters, not only the expense of conveying them to the poll, but their travelling expenses. But his hon. Friend not only went to the extent of paying the travelling expenses, but he actually gave the voters money to pay for their loss of a day's work. Now, he had no doubt that if that act of his hon. Friend had been brought before an Election Judge, the Judge would very properly have held that his hon. Friend had been guilty of personal bribery, and he would have lost the opportunity of ever representing that borough, with which he was locally connected, as long as he lived. He (Mr. Rylands) knew perfectly well that the act was done in error, and with no intention of committing bribery. In point of fact, it was a mistake. He thought it was a very foolish mistake; and if a man made a mistake which was properly held to be bribery it was right that he should be punished for it; but surely it was too severe a penalty to exclude him for ever from representing the same place. He was quite willing to go with his hon. and learned Friend the Attorney General in punishing bribery; but, at the same time, he was disposed to believe they would gain nothing for the promotion of purity of election by putting into the Bill penalties which the feeling of the country would in some cases regard as unfair and unjust.

MR. MACFARLANE said, he thought there was too much disposition to talk of the Attorney General having made concessions. He did not understand that when the hon. and learned Gentleman accepted an Amendment from any part of the House it was conceding anything. He did not understand that the Bill was brought in by one side of the House against the other; but, on the contrary, he considered that it was the outcome of a general opinion in regard to the necessity of putting down an atrocious system. It was, therefore, only right that the Bill should express the mind of the whole House, and not of any particular section of it. He repudiated the insinuation that a desire to mitigate a penalty meant the approval of a corrupt practice. The laws of the Medes and Persians were said to be unalterable; but he had never heard that the Bills of the Medes and Persians were unchangeable. On the contrary, he had no doubt that the Medes moved Amendments and the Persians proposed new clauses, and that both were accepted.

MR. WARTON said, no doubt the Attorney General would feel bound, after the concessions he had made, to divide against the Amendment. He should like to make a suggestion. As a rule, when a division was called, hon. Members who had not been present during the discussion rushed into the House, and, without knowing what had taken place, followed the Government Whips into the Lobby. He would, therefore, suggest that in this instance, instead of adopting the usual practice and appointing the Government Whips as Tellers, it would be more satisfactory to appoint independent Tellers.

SIR GEORGE CAMPBELL said, the question was, whether a Member who had been convicted of corrupting a constituency should be allowed, after a period of retirement, to return to that constituency and take advantage of the corruption he had been guilty of? He should certainly vote against anything of that kind being allowed.

MR. STANTON expressed a hope that the Attorney General would accept the Amendment. Hon. Members might be guided in the matter by their own age, whereas a young Member might vote for a longer period. The older Member would consider a shorter one more desirable.

SIR H. DRUMMOND WOLFF said, he hoped the hon. and learned Attorney General would consent to reconsider the clause. The hon. Member for Kirkcaldy (Sir George Campbell) said that after a candidate had gone to the wilderness, he might in course of time come back and take advantage of the corruption of which he had been guilty; but the clause provided a sufficient penalty, he thought, to render it at all likely that he would receive any advantage from an act committed many years before. His noble Friend the Member for Woodstock (Lord Randolph Churchill) had pointed out the anomalous character of the clause as it now stood. A candidate, having been found guilty of corruption, was to be disqualified for life from sitting for a particular place, but only for seven years from sitting for another place. As his noble Friend had observed, it was perfectly true that some of the boroughs in the country lay so close to each other that an act of corruption performed in one was almost the same as an act of corruption performed in the other. His noble Friend had instanced the case of Salford and Manchester, which were practically one town, and of Chatham and Rochester, which were in the same position. He thought that 10 years would be quite sufficient time to keep the Member out of the constituency, and he hoped the Attorney General would not press the clause as it now stood. His hon. and learned Friend must see that the feeling of the Committee was against him. No one had opposed the Bill in a factious spirit; and he trusted that his hon. and learned Friend would meet the Amendment of his right hon. Friend the Member for the University of Cambridge (Mr. Raikes) in a conciliatory manner.

THE ATTORNEY GENERAL (Sir HENRY JAMES) desired that there should be no misunderstanding in regard to the words he had used. He had no wish to enter into the question whether the disqualification should be for 10 years, or 20 years, or 25 years. The noble Lord the Member for Woodstock (Lord Randolph Churchill) asked what was the difference in regard to corruption between a person who corrupted one constituency as against another constituency? The noble Lord asked, why not make the penalty the same all round, whether it was seven years or 10 years? Now, it appeared to him (the Attorney General) that there was this difference. In the case of a constituency with regard to which the particular offence was committed, the corruption had had an effect upon that constituency, and in no other case did they obtain that conjunction of cause and effect. They must mark with a heavy penalty the offence of systematically corrupting the constituency; and, that being so, he could not enter into the question of a reduction to 25 years, or 15 years, or any other time. The hon. Member for Stroud (Mr. Stanton) said the clause would affect old men more than young men. He was afraid that that consideration prevailed in all punishments awarded to crime. It might be said that it was a less punishment to an old man to be hanged than to a young man, because, in the course of nature, he had less time to live.

MR. O'DONNELL remarked, that if the Government wished to deal with all permanent corrupting effects of bribery with respect to a borough, and believed those corrupting effects to be guarded against by permanently excluding a particular candidate from that borough, he thought that they were mistaken. The more and more it had appeared of late—and it would appear more and more in the future—that where bribery was committed it was rather Party than personal bribery. That had been the case to a large extent in recent years, and to a still larger extent hereafter; wherever bribery was committed it would be found to have been committed in the interest of Party, out of Party funds, and not in the interest of the candidate, out of the candidate's own pocket. That was a most dangerous form of bribery; but, nevertheless, that most dangerous form of corrupt influence would be left entirely untouched by the provisions of this general clause, to which so much importance was attached. If it was to the interest of a Party to corrupt a borough, the first candidate who would be chosen for that purpose would be a man of straw, whose excessive expenditure and punishment would only increase the popularity of the real candidate, who would put up afterwards when the good seed had been sown. In point of fact, the candidate who would be excluded from standing for the borough again would only be the nominee of a man whose popularity would subsequently carry the constituency against all comers. The Attorney General's clause providing an excessive punishment against the individual was merely directed against a state of things which, to a large extent, had either passed away or was passing away. He (Mr. O'Donnell) thought it would be very much better to have something like a moderate punishment against the individual, and not an excessive punishment, which would only insure the future success of the nominee of the party who had been punished. There was another consideration which especially affected Ireland. If they held out to partizan Irish ex-Attorney Generals the enormous temptation of finding a candidate guilty of an offence which would remove that candidate permanently from public life, the dangers which already beset a candidate before an Irish Judicial Bench would be increased a hundredfold; and the possibility of unjust decisions being arrived at would be still stronger than before. His own belief was that, in many respects, the existing provisions of the law were too severe as they stood. He was perfectly certain, for instance, that if the penalty of corrupt practices at present did not exclude a candidate for seven years from sitting for the borough in which the corrupt practices were alleged to have been committed, Mr. Justice Lawson would never have investigated the charge preferred against him (Mr. O'Donnell), and excluded him for seven years, if he could have known that he would have been elected again within a month for another constituency. If Mr. Justice Lawson had dreamt of that being the case he would never have gone the length of investigating the long string of charges that were brought against him. Personally, he was sceptical about the benefit of adopting this legislation so long as the Government refused to adopt the rational course of throwing all legal expenses connected with elections upon the rates, and forbidding all other expenses. So long as this legislation only had that effect it would simply result in getting hold of the smaller kind of offences, while the graver offences would slip through. Even where they did not break through, and where they had committed a very serious offence in laying out vast sums of money in corrupting a borough for the benefit of Party, what was the good of excluding them for life from representing a borough, when it was in the power of an unscrupulous Government immediately to reward them with Baronetcies? The only remedy for the evil was to throw all the legitimate expense upon the rates, and to forbid all other expenses. So long as the Government declined to do that, a Corrupt Practices Bill would only result in occupying the time of the House, which might be more usefully employed.

COLONEL NOLAN said, he was surprised to find that no one who had taken part in the debate had referred to the principal question raised by the clause, which was not so much whether a man should be put out for seven or 10 years as to who it was to put him out. At the present moment the maximum election punishment could only be inflicted by a Judge and a jury. That was the existing state of the law; but they were going to change all that, to throw over the jury, and give the Judge the sole power of inflicting the maximum penalty. At the present moment no Judge could keep a man out of a constituency for even a period of seven years; but a jury could.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the hon. and gallant Member would find that he was mistaken if he would refer to the 48th section of the Act.

COLONEL NOLAN said, that, of course, the Attorney General's knowledge of the law was superior to his own; and if the hon. and learned Gentleman said he was wrong he would bow. His own impression, however, was that the penalty of seven years' disqualification could only be imposed after the trial of a Petition, and not by a Judge acting without a jury.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the penalty of seven years was inflicted if a candidate was named in the Judgment upon a Petition.

COLONEL NOLAN objected to power being taken away from the jury and given to the Judges. If a man was to be disqualified for ever for one constituency, or for a considerable number of years for any constituency, it was well that a jury of his fellow-citizens should pronounce judgment upon him. It was extremely inconvenient, and even dangerous, to hand over to a Judge the enormous power contemplated by the Bill. Of course, he would be informed by English Members that they had full confidence in their Judges. It was very pleasant to hear that; but even they might find, on future occasions, that the system of giving enormous power to the Judges would cause a large amount of inconvenience. The position of Irish Members and that of English Members was very different. The English Members practically appointed the Judges in this country—that was to say, half of the House appointed one-half of the Judges, and the other half the second half of the Judges. The Irish Members, however, had nothing whatever to do with the appointment of the Irish Judges; and, therefore, they very naturally looked upon their Judges in a very different light to that in which Englishmen looked upon their Judges. Suppose the President of the United States——

THE CHAIRMAN: I must call upon the hon. and gallant Gentleman to address himself to the Question before the Committee.

COLONEL NOLAN said, he objected to the transfer of power in this matter from jury to Judge. His impression was that the matter might be properly raised at this point. He would, however, take the earliest opportunity of reverting to the subject.

MR. BIGGAR said, the hon. Gentleman the Member for Salford (Mr. Arnold) had stated it was perfectly unreasonable to make a life disqualification in regard to the representation of a particular constituency. If a large number of years were specified the disqualification would practically amount to life. For instance, if he (Mr. Biggar) were disqualified to contest any particular constituency for 10 or 15 years, his chances of ever representing that place would be very small indeed. He was of opinion that the House should, by all the means in its power, put down bribery of all kinds. He had not the slightest doubt that on the other side of the House there were hon. Gentlemen who gave large subscriptions to the particular system of religion with which they were connected, and to the Temperance Societies and other organizations connected with the religion. Now, the system of bribing religions seemed to be one of the most pernicious kinds of bribery that could be imagined; and the Committee would do well to do all it could to prevent it.

Mr. CALLAN said, the Committee had been led away from the consideration of the real point at issue. The question before them was not the difference between bribery and treating, or how far parties belonging to different denominations might have been guilty of corrupt practices; but it was whether a Member should be for ever precluded from sitting for a constituency with which he and his family might possibly have been connected for centuries; and that room, therefore, should be made for some adventurous spirit, like Schnadhorst of the Birmingham Caucus. The hon. Member for Kirkcaldy (Sir George Campbell) had asked if they were to fight over a question as to whether a man who had intentionally corrupted a constituency should ever be allowed to sit for that constituency again; and the Attorney General entirely misled the Committee, because he said that this clause was directed to the punishment of a man who had intentionally corrupted a constituency. He would aid the hon. and learned Gentleman in every way in his power to punish not only the corruptor, but the corrupted; but he feared it was just possible that some injustice might be worked by the clause. He would give the Committee two illustrations. He was present at the hearing of the Election Petition against Mr. Benjamin Whitworth. In 1868, the hon. Gentleman was elected Member for Drogheda by an overwhelming majority; but in the following January a Petition was brought against him, and it was tried by the redoubtable Judge Keogh. He (Mr. Callan) sat the hearing out from beginning to end; and he was never more astounded in his life than when Mr. Justice Keogh declared that Mr. Whitworth was not only guilty through his agents of undue influence, but that Mr. Whitworth personally was guilty of undue influence, and that the hon. Gentleman was disqualified for sitting for the borough during the then Parliament. What, however, happened? In the following week the supporters of Mr. Whitworth held a meeting in the town, and the son of Mr. Whitworth was unanimously chosen to succeed his father, and on a later day he was fortunate enough to be elected without a contest. Such was the way in which a Member of the Liberal Party was punished. If the present Bill had been in existence at that time Mr. Whitworth could never have sat for Drogheda again. At the next election Mr. Whitworth was defeated; but in 1880 the hon. Gentleman defeated a Gentleman who was half a Liberal and half a Home Ruler. During the present Parliament Mr. Thomas Dickson, the Member for Tyrone, was unseated for Dungannon, the capital town of Tyrone. Sligo was a corrupt borough, and Sligo was disenfranchised.

The CHAIRMAN: The remarks of the hon. Gentleman have very little relevancy to the Question before the Committee.

Mr. CALLAN said, he was simply stating that Sligo was a corrupt borough, and had been disenfranchised. He was perfectly in Order, for when the Prime Minister referred to Sligo he was not called to Order. He remembered the Petition being tried in the County Donegal, in which he (Mr. Callan) was the respondent. The allegation against him was that he was guilty of treating; but what was the evidence? Some gentlemen drove up in a carriage to the hotel at which he was staying. They had a glass of wine and a sandwich, and he insisted upon paying for them. If the Judge had believed that he gave the wine and sandwich with the intention of influencing the votes of the gentlemen he would have been obliged to unseat him, and to disqualify him for ever from sitting for his county during the present Parliament—if the Judge had not been a common-sense man like Baron Dowse, but had been as malignant as Judge Keogh, or as great a purist as Judge Lawson, he would, under a Bill like this, have disqualified him for ever from sitting for the county again. He (Mr. Callan) would rather take a plank bed for 14 years than be deprived for ever from sitting for his constituency, though under this Act, if they indulged in the smallest treating of electors without any guilty intention, they would be liable to be disqualified for ever.

MR. BIGGAR asked if the hon. Gentleman was in Order in talking about treating?

THE CHAIRMAN: I have already said that it appeared to me the hon. Gentleman's remarks were somewhat irrelevant to the Question before the Committee.

MR. CALLAN rose to continue his observations, but——

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Thursday*.

QUESTION.

MADAGASCAR—CAPTURE OF TAMATAVE BY THE FRENCH.

SIR R. ASSHETON CROSS: I wish to ask the Under Secretary of State for Foreign Affairs, Whether the report contained in the evening papers is true, which states that the French Admiral at Madagascar has taken Tamatave, has settled himself there, and has taken the Custom House, and also established himself firmly in those parts?

LORD EDMOND FITZMAURICE: I cannot, of course, say whether the report is true; but I made it my duty to inquire this evening, and up to half-past 6 no information had been received at the Foreign Office.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

VACCINATION.—RESOLUTION.

MR. P. A. TAYLOR, in rising to call attention to the Laws relating to Vaccination; and to move—

> "That, in the opinion of this House, it is inexpedient and unjust to enforce Vaccination under penalties upon those who regard it as inadvisable and dangerous,"

said: Mr. Speaker, I think it is likely that there are many hon. Members who regard the question that I am about to bring before the House as a somewhat unimportant one, and who look upon me as having no right to take up a portion of the time of the House for its consideration in a Session that stands marked by the great block in its Business and the great difficulty of progression. I hope to be able to show that this is not entirely true, and that I hold a very different opinion. In my opinion, hardly a more important question could possibly come before the House of Commons than that upon which I have now to ask their attention. Whether we regard the question as a question of individual right against medical tyranny, or whether we regard it as a question of national health—because now it can no longer be denied that there is the possibility of the accumulated corruptions of our ancestors being transmitted to the coming generation—or whether I point to the view of the extreme suffering and wrong under which individual protestors against the law are now suffering, or to the view of the question taken by the statesmen of the past period, or by the statesmen of the present period, its importance cannot be denied. George Canning and Sir Robert Peel declared, 40, or 50, or 60 years ago, in almost identical words, that whatever might be the opinion of the value of vaccination, nothing should induce them to make it compulsory, being a thing so entirely contrary to the spirit of British liberty and British privilege. Also, our own Premier gave utterance to these words—

> "I regard compulsory and penal provisions, such as those of the Vaccination Acts, with mistrust and misgiving; and, were I engaged on an inquiry, I should require very clear proof of their necessity before giving them my approval."

It is quite clear, therefore, from the

statements of these statesmen, that the question is one of very considerable national importance; and if I could convince the right hon. Gentleman the Prime Minister—I am sorry I have not the honour of seeing him here at this moment—[Mr. WARTON: Hear, hear!] —if I could impress upon him the amount of persecution going on throughout the country in consequence of the infliction of these laws; if I could point out to him the number of persons who are suffering under fines and imprisonment for conscience sake; and if I could bring before his mind the hundreds and thousands of children who are suffering disease and death as a consequence of this system, I think I should have grounds for inducing him to make that inquiry of which he spoke in those words. I might point to another matter, although it is an entirely inferior one; and that is the lawless spirit of evasion which is quite sure to spring up in a community where a wrong and tyranny is done. I can tell him of fathers who neglect to register the births of their children, in order to attempt to escape the infliction of this law. I can tell him where parents flit about from one part of the country to another, in order, if possible, to avoid the surgeons and the police. The late President of the Local Government Board (Mr. Dodson), when appealed to by my hon. and learned Friend the Member for Stockport (Mr. Hopwood), as to whether, in cases where children had died from the infliction of vaccination, there would not be a just appeal to the magistrate for mercy and consideration, said with commendable kindness that although it would not, of course, alter the law, he hoped that in such cases such a plea would be regarded with respect and consideration. That, of course, was very kind of him; but it leaves us where we were. There have actually been cases where magistrates have asked a father objecting to vaccination whether he has lost any of his children through it, because, otherwise, he could not entertain his objection. This may, indeed, be said to be out-Heroding Herod. Whatever answer the House of Commons may give to my appeal to-night—and I am quite uncertain as to what it may be—one thing I feel, from my own experience and from what I have heard, that the amount of support I shall get to-night will bear a very close ratio to the number of Members who have thought it worth while to study this question for themselves. That has been my experience. I sat on the Select Committee of 1871 upon these laws, and I entered that Committee with that traditionary conviction that 99 men out of 100 still have, that it was a matter-of-course, and that nothing could be said against it. I signed that Report which defended the excellence of vaccination and its safety. I did, not, however, support the right of compulsion, and I submitted a clause to the Committee which would have removed the difficulties of the case. I merely suggested that anybody should be free from the necessity of vaccinating his family who would sign a declaration that he had a conscientious objection to it; and in answer to a suggestion that there were many who had no real objection to it, and only fell foul of it from apathy, I replied that a small fine in the form of a stamp should be appended to the declaration. Had that been done, the subsequent difficulties that have arisen would never have occurred. But the House will see that, having committed myself to sign that Report, it became a matter of conscience with me. I had done my little best to endorse and to maintain the opinion of the excellence of vaccination. I was led by my political objection to this compulsion to look more and more into the medical and scientific side of the question; and I was brought to the conclusion that not only was there some evidence against vaccination, but that there was nothing whatever to be said in its favour—that it was an absolute delusion, a positive superstition, an unscientific error to begin with—and a foolish practice from the very first. It became, therefore, my duty to devote myself to the solution of this question, and I have done so to my humble best, and I will not cease until this law is removed from the Statute Book. Now, I have questioned many people since I came to that conclusion, both medical and lay, and I can say I have not found one man who really took the trouble to examine this question for himself who came out of the consideration with the same fulness of conviction with which he entered it. Now, I should like, if the House will allow me, to give the opinions of some persons who are of infinitely greater importance than myself. [Mr. Warton: Oh, no!] I acknowledge the kindness of the hon. and learned Member for Bridport; but I will not stoop to be flattered by it. Dr. G. F. Kolb, a distinguished German, and a member extraordinary of the Royal Statistical Commission of Bavaria, says—

> "From childhood I have been trained to look upon the cow-pox as an absolute and unqualified protective. I have from my earliest remembrance believed in it more strongly than in any clerical tenet or ecclesiastical dogma. Open and acknowledged failures did not shake my faith; I attributed them either to the carelessness of the operator, or the badness of the lymph. In the course of time the question of vaccine compulsion came before the Reichstag, when a medical friend of mine supplied me with a mass of pro-vaccination statistics, in his opinion conclusive and unanswerable. This awoke the statistician within me. On inspection I found the figures were delusive, and a close examination left no shadow of doubt in my mind that the so-called statistical array of proof was a complete failure."

Dr. Vogt, Professor of Hygiene and Sanitary Statistics in Berne, and probably the largest collector of statistical information, entered into an examination of the figures firmly believing that they would confirm his conviction; and, having registered and abstracted the particulars of the deaths of 400,000 cases of small-pox, he was compelled to admit at the end that his belief in vaccination was absolutely destroyed. Here is the case of a German physician going into the question for the purpose of defending the practice of the vaccination. Dr. Boing, stung by the assaults of anti-vaccinationists, set himself to prove its value, and has to present with unfeigned grief the reverse. He candidly states—

> "No one can lament more than I do that the results of investigation should fall out in disfavour of compulsory vaccination. It is certainly not pleasant to be obliged to change one's convictions on so important a subject; and it is the more painful because it involves the relinquishment of a legislative measure by means of which we believed ourselves able to cope with one of the most fearful scourges of human society."

Now, Sir, this question naturally divides itself into two portions—vaccination and compulsion. It is quite possible to conceive that vaccination might be good, and compulsion unjustifiable. At the same time, if I can prove that vaccination is an evil, I shall, of course, weaken the basis of compulsion. I will address myself, with the leave of the House, for a short time to the question purely of compulsion. I think that even were vaccination to provide all the benefits that its defenders maintain, the grounds against compulsion are amply sufficient to justify its abolition. I object, then, to compulsion, because it is the most absolute invasion of the sacred right of the parent, of the right of individual liberty, at the bidding of medical supervision, that this country knows. There is, in my opinion, no law upon the Statute Book, not obsolete, of so tyrannous and crushing a nature as that which compels vaccination. Let the House look for one moment to what extremities such a law leads. It amounts to the State declaring that families shall not choose their own medical men. There are plenty of medical men now who are opposed to vaccination; and yet, if such a man enters a family and gives his advice against vaccination, the State declares that the parent shall not have the right of taking such advice. A distinguished physician, not only in this country but elsewhere—Dr. Wilkinson—was the medical adviser of a man whose child was ordered to be vaccinated. The doctor remonstrated, and said—

> "Apart from any question of my belief in vaccination, the child is not fit to be vaccinated. It is suffering from a severe skin disease; and, in my opinion, no decent doctor would venture to have it vaccinated."

But the vaccinating officer and the magistrate at Westminster laughed at the opinion of the medical man, because they found he was Vice President of the Society for the Abolition of Compulsory Vaccination. It did not much matter in this case, because the man paid the fine; but in the case of a poor man the declaration of the magistrate would have sufficed to condemn the child, perhaps to death. I object, then, again to compulsion, quite irrespective of the effects of vaccination, because, *ex hypothesi*, on the very ground on which it is defended, it is proved to be not needful. No one will say that the State has a right to interfere with the medical treatment of particular children. It is said that an unvaccinated child is a source of danger to the public. How can it be so when all the community are protected by vaccination? Everybody can be protected and assisted who desires to be protected and assisted; and when, there-

fore, you call this unvaccinated child a centre of danger and disease to the whole community—the whole protected community—I say that is an insult to the common sense of Englishmen. I object to compulsion—or rather I should object to it if I believed in vaccination—because, under any circumstances, it must be highly impolitic, because the course of a particular medical system, even if it
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—it is to have many opponents. Those
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a flagrant case of the oppression of the poor. The wealthy and those well-to-do do not suffer from these laws. At the worst, they have to pay a fine which is nothing to them; and in nine cases out of ten, or in 99 cases out of 100, the courtly medical man does not trouble his client with more than a simple remonstrance. That is not the case with the poor. They cannot afford to pay the fine. They are sent to prison. If I could give to the House in a few words the numberless letters I have received of remonstrance and complaint and indignation, many of them accompanied with the hideous photographs of their mutilated infants dying from the infliction, I think I should have the most powerful argument I could produce. There is the case of our workhouses. There go the surgeon and policeman. There go the infants vaccinated when but a few days old, and the mothers, too, a day or two after their confinement. A witness at an inquest the other day said he had vaccinated 1,500 women in that condition, and it was said that they did not object. They did not object! No; the order is—"Strip your arm," and the operation is performed, and there is an end of the affair. I really think it makes one's blood burn within one's veins that they should go on so in a civilized country. May I ask what hon. Members of this House would say if their wives were to be ordered to be vaccinated on the day of, or the day after, their confinement? Then, it is said—"Well, these opponents of the system must not stand in the way of saving thousands of lives." It saves no lives at all under any theory. As an element and a factor in the national mortality small-pox is nowhere at all. These years of small-pox epidemic are not the years of the largest general epidemic. One zymotic disease succeeds another, and the most deadly of them is not small-pox. I will read in this sense a few words from the late respected Dr. Farr, who poured contempt on the idea that vaccination could eradicate a particular zymotic disease. He said—

> "To operate on mortality, protection against every one of the zymotic diseases is required, otherwise the suppression of one disease opens the way to others."

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whose opinions I do not in any degree l
misrepresent when I say that they declare that vaccination never can, or will, stamp out small-pox; but that small-pox, and all other zymotic diseases, can, may, and shall be stamped out by sanitation. What is the argument used by hon. Gentlemen, both in and out of Parliament, in favour of this system? They say that the opinion of the Medical Profession is unanimous in its favour. I have sought medical opinion on this subject for many years, and I can answer for it that it is by no means unanimous. In the first place, medical men, like laymen, had for the most part not examined into the question at all. They simply had taken the tradition as they found it, and they had not examined into the particulars of the case. But I have found many medical men who were doubtful in their opinion, some who were anta-

gonistic to it altogether; and I do not hesitate to say that it is, at least, my firm conviction that not only might compulsion go, but that vaccination might go altogether, without causing any great stir amongst the large body of the Medical Profession. Now, it must be remembered that medical men—I do not say more than, but as much as, any other class of the community—are subject to the public opinion that surrounds them, and to the public opinion of their *confrères;* and they dare not, therefore, take a step that would be hostile to the prejudices of the day. Dr. Alfred Carpenter, explaining the other day how it was that all medical men were not teetotallers, after giving some reasons for their prejudices, their traditional opinions, and their mistakes, and so on, uttered these pregnant words—

> "The medical man would do what is right if the public made it worth his while. All medical men cannot afford to be total abstainers, because, if they were, they would be tabooed and 'Boycotted.'"

The same thing applies here; and I have not the least doubt that many medical men are very doubtful about vaccination. I have appealed to one or two young men—medical students—and I have said, "Won't you examine this question? Don't take the traditions of your predecessors." I am sorry to say the reply has been—"We can't afford it. We have our livelihood to make, and we must take the course open to us. We are made to say these things, and to assert the truth of vaccination before we are allowed to pass, and to make 60 practical operations. We cannot, therefore, afford to take up your abstract theories." Now, I have thought it worth while to get the opinion and advice of a number of men whom I might call the medical attendants of the poor —the chemists in our large towns—and I have received a large number of expressions of opinion from them entirely adverse to compulsory vaccination. I will not trouble the House with them; but I will venture to give the House one as a sample—

> "I have had many opportunities of witnessing the evil effects of vaccination, as large numbers of mothers bring their children to me for advice when suffering from vaccine inflammation, and I have seen scores of the most distressing cases, where the poor child's arm has been one mass of scab and corruption; and in not a few cases I have known it to prove fatal. Consequently, for years I have believed the law of compulsory vaccination to be a curse and a disgrace to our 19th century civilization."

Now, there is one class of the community for whom I entertain no high opinion, and that is the small body of highly-paid medical gentlemen who sit behind the throne of the President of the Local Government Board, and who are more powerful on these matters than is the President of the Local Government Board. They are, I have not the slightest doubt, honourable and intelligent men; but they are men whose *raison d'être* is vaccination. They are irresponsible in the advice they give, or they are only responsible to the President of the Local Government Board. My right hon. Friend has probably not very deeply studied the question of vaccination. It is very natural that he should not have done so; and if I may be permitted to say so, from the answers he has given in this House, I should assume, certainly, that he had not done so. But surely it is a most unfortunate and painful position for the right hon. Gentleman to be put in, to be the mouthpiece of a set of medical experts upon doctrines upon which he has had, and can have, no sound opinion of his own. I will venture to refer to an answer given the other day. In answer to the hon. and learned Member for Stockport (Mr. Hopwood) he declared that cases of vaccinated syphilis were of the most trifling description in point of number. He also declared, in answer to my Question, whether it was not a fact, as tested by the highest medical authority, that it was impossible in many cases to detect syphilitic taint in a child from whom the lymph is taken, that he understood the Report of the Committee was that such facts must be taken in proportion to the number of cases. Now, if my right hon. Friend had taken the trouble to ask the opinion of one very talented member of that Board—Dr. Ballard—he would have come to a very different conclusion. Many years ago Dr. Ballard wrote an excellent essay upon vaccination, which gained a prize, and Dr. Ballard said—

> "There were numerous cases on record to prove that vaccine virus and syphilitic virus may be introduced at the same spot by the same puncture of the vaccinating lancet;"

but since his appointment we have heard nothing on that subject from Dr. Balnation, including their names, with an index pointing to the authorities as witnesses; also similar details of 97 fatal cases of small-pox after vaccination, and of 150 cases of injury arising from vaccination, together with the addresses of 10 medical men, including two Professors of Anatomy who had suffered in their own families from vaccination. Concerning these remarkable evidences, Dr. Maclean observes—

> "Although numerous, they are few in comparison to what might be produced. It will be thought incumbent on the vaccinators to come forward and disprove the numerous facts decisive against vaccination here stated on unimpeachable authority, or make the *amende honourable* by a manly recantation. But experience forbids us to expect any such fair and magnanimous proceeding; and we may be assured that, under no circumstances, will they abandon so lucrative a practice until the practice abandons them."

There is a great similarity between the vaccinators of 70 years ago and of the present day. Things went on in this way. Vaccination was not very heavily practised, and yet not in one instance was there an increase of small-pox. About 1853, the experts resolved on compulsion. They gave a long list of towns where they said vaccination was not worth keeping up at all, in consequence of its being greatly neglected; but they did not attempt to show in those towns where vaccination was practised that small-pox did not exist at all. Now, it happens that in the year 1853, when they began this crusade, there was the lowest number of deaths from small-pox ever known within the memory of man, being only 211. In England and Wales there were 3,151, against 6,000 or 7,000 in the previous year. Well, they got their compulsion, and what happened then? Why, since then small-pox has increased by leaps and bounds. There have been three epidemics since that time. In the one of 1857-9 there were 14,244 deaths in England and Wales; in that of 1863-5 there were 20,059; and in the last, which was a very heavy one, that of 1870-2, the deaths were 44,840. I know that it is possible to manipulate these figures in various ways, so as to make them have a different appearance. The Registrar's Returns of 1851 was another case in point; and how anyone after that can hold up his hand and say there is evidence that vaccination has an effect upon small-pox requires a firmer faith than most men in this House possess. With reference to Scotland. In 1861-2 about 20 per cent of births were vaccinated; there was no epidemic at the time, and deaths by small-pox were moderate. On January 10, 1864, compulsion came into force; there was no epidemic, and the low rate of mortality and the advantageous condition of mortality were attributed to the Compulsory Act. In 1868, instead of 20 per cent vaccinated, there were 97 per cent; and surely now Scotland should have been safe? But what is the result? In the four years, 1871-4, there died of small-pox in Scotland 6,260, or 50 per cent more than died in the four years prior to compulsion. The fact is always the same. Whenever there is no epidemic people do not die of small-pox, and whenever there is an epidemic people die, whether they have been vaccinated or not. In the Committee of 1871, Dr. Corrigan declared not only that small-pox was being stamped out, but was stamped out in Ireland; and, in fact, that during a whole quarter of the year there had not been a single small-pox death through the length and breadth of Ireland. But an epidemic came in the next few years, and burst out in increased force, and killed a larger proportion than in the last century, when everybody was not vaccinated. Just in the same way my right hon. Friend (Sir Lyon Playfair) said small-pox was "stamped out" in Scotland; but it was only stamped out when there was no epidemic, and not when there was an epidemic. What are the answers we get to these tremendous facts? They are of a monstrous description, and I am almost ashamed to hear how they influence men in this House. There is the old and ancient fable, that nurses in small-pox hospitals who are re-vaccinated do not have the small-pox. In the first place, I may be permitted to say it is not a fact. Some of them have had small-pox and some have died. But everybody who has studied knows that that has nothing to do with it at all. People of the age of the nurses are not usually susceptible to small-pox, and if nurses and surgeons were all liable to attack it would be very serious for the patients. But, taking it as a fact, what can it prove? 45,000 persons died, most of whom were vaccinated within the last decade. You say the nurses who were vaccinated did not die. Why did they not die? The elements of vaccination were the same to both. You, therefore, fall into the mistake of proving too much, for you prove that the small-pox hospital is a greater protection than vaccination. Then, it is said, you never see people marked now. That is a roundabout argument to prove that small-pox has diminished. This would only show that there was not a great diminution of quantity, but only of severity. The Medical Profession take a little credit to themselves when they can fairly get it, and they declare it is due to the purity of lymph used in vaccination. They also attempt to divide small-pox deaths into the vaccinated and unvaccinated. But it is impossible, in a great number of cases, to detect whether a person has been vaccinated or not. We know, moreover, that these statistics are not fairly and honestly taken. I will not use the word honestly, but say not fairly taken. I received a communication only three days ago from the master of a Workhouse Infirmary during the small-pox epidemic, and he declares to me that it was the regular course to put "unvaccinated" at the bed head of everyone who died of small-pox. [*Cries of* "Name!"] Certainly not. We have to bear in mind—[*Renewed cries of* "Name!"] The fact is—[*Loud cries of* "Name!" *and* "Order!" *during which the remainder of the hon. Member's sentence was inaudible in the Gallery.*] But whether it is a fact that vaccination was performed before or not, the doctors look upon it as proved that it was not; and in other cases, where the contrary is proved, it is looked upon as of no value at all. I charge upon vaccination, then, in the first place, that it is not successful; I charge upon it, in the second place, that it gives disease in many cases by the inflammation it produces; and I charge upon it—and it is now proved beyond all doubt—that it can taint the cleanest blood with any blood disease that exists in the infantile blood from which the lymph has been taken. I have been told by medical men, who have turned their specific attention to cancer, that that disease has been largely increased by the poison of vaccine; and as for that other, and more dreadful disease, there can be no doubt of its action in regard to it. I say nothing of what has occurred at the leading vaccine establishment, in London, because that proves nothing new; everything that occurred there was known before. The President of the Local Government Board declared a few days ago that the cases in which disease was contracted were infinitesimally small; and Dr. Carpenter speaks of millions of people vaccinated, and disease being hardly known through it. But this is not in accordance with the testimony of higher medical authority. Dr. Brudenell Carter says—

> "I think that a large proportion of cases of apparently inherited syphilis are in reality vaccinal."

While my hon. Friend the Member for Glasgow (Dr. Cameron) says—

> "I suspect that isolated examples of syphilitic infection, through vaccination, are much more common in this country than is generally admitted."

And, speaking of the blindness of the Medical Profession in this country on the question, he said—

> "In France, where the chief of the National Vaccination Service clung less closely to this theory, he saw the danger much earlier, and in 1867 published a list of upwards of 160 cases of syphilitic infection through vaccination, which had been brought under his notice in little over a year."

I can appeal also to the Under Secretary of State for the Home Department (Mr. Hibbert), who, writing to his constituents in 1880, said—

> "This Return shows an increase of deaths from syphilis of infants under one, from 255 in 1847 to 1,554 in 1875,"

—or six times as many—

> "In my opinion, one of the most unsatisfactory features in connection with vaccination, and one which leads me to support the proposed modification of the Vaccination Law now before the House of Commons."

Had he not been an official, I am sure that, with the courage which distinguishes him, he would say this must for ever put an end to vaccination. I do appeal to the House to once and for ever put an end to compulsory vaccination. We owe it to ourselves and to foreign countries to do so. The curse originated with us—let us not be the last to remove it! Switzerland has throw off the yoke. France is agitating against it. Germany is rising against it, with a power so great that our friends there believe that when the real discussion comes on in the Reichstag, they will have a majority against it. Our Colonies are against it, and only five years ago the Town Hall at Montreal was razed to the ground to show that the people would not endure it; and hostile opinion was ripening in the United States. A hundred and fifty years ago the quackery of inoculation was in full blast; and 40 years ago it was held to be a misdemeanour not to comply with vaccination. But that, too, has been changed; and if we are not prepared to sweep it away altogether, at least let us now, and at once, do away with this shameful and infamous tyranny of compulsion. The hon. Gentleman concluded by moving his Resolution.

Mr. HOPWOOD: My hon. Friend has left me no easy task to follow him; but I trust the House will allow me a few minutes, while I express my own belief in the cause he has championed, and while I say that, like him, but without concert with him, I came to the conclusion that vaccination is a myth and a delusion, and is productive of constant mischief to the community. This was brought about by having my attention called to the injustice of accumulated penalties. These penalties, I am sure the House will see, are insupportable, being productive of most cruel wrong to the population; and I am glad that this is one of those social questions which this Parliament has found time, at last, to deal with. It has heard the plain truth on this subject spoken to-night, and an accumulation of facts such as I think my right hon. Friend the Member for the University of Edinburgh (Sir Lyon Playfair) will find it difficult to destroy. I have no doubt that he will meet it by statistics. Probably the House has not altogether followed the statistics of my hon. Friend (Mr. Taylor). Why? Because it is impossible to deal with the statistics advanced on either side unless hon. Members will apply their own intelligence to them, and, after investigation, decide for themselves who is right. This social question must be determined on its merits. But it is said by hon. Friends of mine to whom I have spoken on the subject—"My medical man tells me you are all wrong." Well, I have great respect for the Medical Profession when it is engaged in scientific inquiry, unpaid by State emoluments, and untempted by the fees extracted from a vast community of patients whenever a rumour of small-pox epidemic presents itself. But the Medical Profession has been marked in the past by many absurd errors, many differences of opinion, and men of successive generations have gradually emancipated themselves from old superstitions. Therefore, if I say anything to-night respecting the Medical Profession, it is in the most respectful manner to invite it to use its uninterested powers in the settlement of this great scientific question. My friends say—"How can you argue in this way? I assure you my old mother or aunt used to tell me that people were always pock-marked, and you never see anything of the kind now." And yet the same persons ought to be aware that at that period we did what we could to propagate small-pox by almost universal inoculation, which is now an unheard-of evil, and prohibited by law. Every Member of this House is wise enough now to see it was an evil. Why not then? Because the Medical Profession pursued and promoted the practice, and did everything, short of obtaining an Act of Parliament, to perpetuate it on the Statute Book. Happily for us, it was not so perpetuated. My hon. Friend (Mr. Taylor) has shown that small-pox began to decrease in the beginning of this century. Why? Because people became cleaner than their ancestors. They began to pay more attention to sanitary precautions. If you want any proof of it, where do you find small-pox? Is it in the handsome mansion, with the luxuries of modern civilization about it? No. You go into the crowded courts and the rookeries of the great cities. Why, this is a disease of great cities; but it is, happily, yielding to sanitation. Clear away your rookeries, open out your alleys, and clean your dirty ways, and small-pox will die out. That is the remedy that is obvious, and I can scarcely bear to speak of any other that depends on poison. Inoculation seems to have come like a fetish from the East, as something which was to be worshipped here; and the people of England fell down on their knees and worshipped it. That went on from the middle of the last to the early part of this century. And what was offered to the public instead? The author of the new remedy, in effect, said—"Here is something which I cannot explain, which is to be found in sores on the udder of the cow. I have a shrewd suspicion that it may have been an infection conveyed to the animal by the rough hands of the horse boys employed in milking who came from the stable, and brought horse grease from the festering, suppurating heels of the horse, thus communicated to the cow." No one to this day can say what cow-pox is; and if you want it renewed you are obliged to depend upon some mythical account of a case of cow-pox being discovered in some Province of France or part of Belgium. Some of our medical men have actually inoculated the cow with the small-pox, and then, treating the result as lymph, have vaccinated thousands—aye, hundreds of thousands—of our fellow-countrymen. Nobody can tell where the genuine article began—this "benign vaccine lymph," as it is called in the phraseology of vaccination. Instead of inoculating an infant, a surgeon could say—"Here is a simple matter that will create, possibly, a swelling on your arm, and possibly cause some constitutional disturbance; but I promise you it will give you immunity from small-pox." That was a tempting offer. What wonder, then, that the practice of inoculation died down, that small-pox became less frequent, and that vaccination was gradually and surely taken up in its place? At first immunity was promised. A few years went by, and they found it would not give immunity for a lifetime. Then they said—"You must be vaccinated every seven years." Next it was said—"You must have four or five marks from the operation, and according to the extent and proportions of the cicatrices so you will have immunity." But that did not do. Here are signs of a great Profession failing in their own belief, tottering in their faith in this extraordinary remedy; and so my hon. Friend the Member for Glasgow (Dr. Cameron) points out to them that they will avoid all difficulties if they will use calf lymph. That will not transmit syphilis and skin diseases, he says; but who knows what else it may transmit? Has it been scientifically investigated? There are diseases in cattle, and there are states of health in cattle which may become disease when put into an infant. The President of the Local Government Board, when answering a Question from me on this subject—frequently he answers a Question by only seeming to answer it—said it was quite true that calf lymph does create even more constitutional disturbance, inflammation, swelling, pain, &c., than the human lymph. Why, Dr. Seaton, one of the doctors of the Poor Law Board, was of that opinion, and was against introducing it for that reason; and nothing but the influence of the hon. Member for Glasgow (Dr. Cameron) induced the Board to procure a calf and station it somewhere in the neighbourhood of Holborn, to enable those who preferred it to try this benign vaccine lymph. Many Members of this House can relate sad instances of suffering among their own friends from the effects of vaccination; and if they suffer, what wonder that the poor are made to suffer, and that their prayers and entreaties go up in vain to the magistrates, who, sitting on the Bench, and having the power, "if they think fit," think fit to the extent of crushing the poor men, and causing them, in many instances, to be sold up, because they resist this inhuman law. The notice taken of this question may be useful to the Medical Profession. We do not disdain outside criticisms in my own Profession. We have had to submit to them many a time, and have benefited by them. The same may be said of the Military Profession. Anti-vaccinators have been called fanatics; but they are only defending their hearths and their homes and their innocents. It has been said that they tell untruths. How many untruths have been told on the other side? I can name a medical gentleman, living near Birmingham, who states that where a child died from erysipelas caused by vaccination, the fact was suppressed, because it might give rise to an unjust feeling against vaccination! The same thing was done in the Norwich case recently. Now, those hon. Gentlemen who called "Name, name!" when my hon. Friend was speaking will please to take that fact, and I will give them any reference they choose. Our poor brethren stated loudly that they suffered from disease owing to this practice of vaccination, and the Medical Profession to a man rose up and denied it. But what happened? Why, before the Committee of the House of Commons, Mr. Simon, the head of the Department of of which Dr. Buchanan is now the head, denied it and jeered at it. But, in a few days, it transpired that Mr. Jonathan Hutchinson, one of the greatest authorities on syphilis, could give evidence on the subject. He came before the same Committee, and stated that it was too true that syphilis was conveyed by vaccination, and gave it as his opinion that it was impossible to tell in all cases whether the child from whom lymph was to be taken was or was not syphilitic. A Member of this House described to me the results of re-vaccination upon himself. He was urged to be re-vaccinated some three years ago, and at last, on the persuasion of his doctor, he gave way. What was the result? The doctor said—"I have found a good subject—a most beautiful child —I know all its history—from which to procure the vaccine. The child is a perfect picture of health." My friend was vaccinated from that child, and in a fortnight or three weeks he broke out with a most loathsome eruption, extending from head to foot. There was nothing to justify or account for it but the vaccination. The disease would not yield to treatment, and my friend was sent to Harrogate to take the waters. There he put himself under another physician, who informed him that he had been vaccinated with impure lymph. Here was a Member of this House, possessing every security that wealth could give him, and able to obtain the highest medical services. Then, compare the case of a poor man compelled to bring his child to the public vaccinator, and who cannot help himself. A police magistrate for London told me that more than once he has had a child brought to him who was one mass of sores. The mother said—"The child was well till it was vaccinated," and the magistrate believed it. This is testimony as to suffering which is still going on. Now, this is what the anti-vaccinators protest against, and it is what the whole Medical Profession has denied. Even Mr. Simon, who had denied the possibility, admitted that among the replies he got to some 500 or 600 applications he had sent out to medical men abroad, two or three of them had mentioned similar facts to him. The famous French surgeon, M. Ricord, referred to already by my hon. Friend, gave his testimony that it was so. I should like, as my hon. Friend has done, to call attention to what vaccination really is; and I hope the House will not surrender itself entirely to medical opinion, but that it will consider for itself. Let us see what certain medical men say as to this horrible poisoning. Many are shocked at this practice already; and, if not, I believe they will be as soon as they are fortified by inquiry into the matter. The famous John Hunter, no doubt, by some, may be said to be old-fashioned; but the Medical Profession regard him still as one of the greatest physiologists. He did for himself what Dr. Corey has done, inoculated himself to test scientific results, and gives his opinion that—

> "Any extraneous substance introduced into the blood modifies the vitalized or living fluid. The introduction, by communication, of minerals or vegetable poisons is hazardous, and in certain cases may be destructive; but the introduction of animal products from any living body, be it a man, a cow, or an ass, is infinitely more pernicious, because, like it, it is vitalized."

That will be recognized as being true in the future. Many of the Medical Profession are opposed to that opinion, because they believe that such stuff as this is a preventive of a disease of which they exaggerate the proportions, and in regard to which they deny their own powers of treatment. A medical Staff officer in the Prussian Army, referring to the effects of vaccination on disease, says—

> "I myself have been vaccinated, and twice successfully re-vaccinated; and yet, in the exercise of my official medical duties during the late outbreak in Prussia, I have been attacked with small-pox in the most virulent and confluent form."

Those who have been congratulating themselves on being re-vaccinated will, perhaps, take that piece of evidence, and discuss it in relation to their own case. Dr. Buchanan has taken upon himself to deal very hardly with the reputation of a brother medical man, Dr. Guy, the vaccinator in the Norwich disasters, in regard to this matter. Dr. Guy has in his time been rewarded and complimented; but Dr. Buchanan first ascribes malpractice to Dr. Guy in the use of ivory points, and then admits that there is an inferior sort of ivory, unknown to the operator, which might possibly retain that which would infect the vaccine. See how that points in the direction we are indicating—that there are many possible chances in this operation to communicate disease. There may be neglect on the part of the vaccinator, for whom it is to be said that he has to get through a large number of cases in a short time. And yet you ask us to accept vaccination by compulsion, when you have not taken the commonest precautions of science to ascertain whether the operation may be safely performed! You are forcing this upon our population, when you have no right to do it. Dr. Buchanan wrote a Memorandum some time ago, in which he demonstrated the extraordinary benefits of vaccination. He said—

> "Of course, the vaccinated and the unvaccinated live under the same conditions."

He ought to have known that there are a large number of persons who cannot safely be vaccinated, either from ill-health, or from proneness to inflammatory disease, and who are more likely than any others to catch the small-pox and die of it. The unvaccinated class consists of those who cannot be vaccinated because it is dangerous—children and others. But it consists also of all your nomad population, of your arabs, tramps, and poor people, who live under the conditions most opposed to health, and most likely to render them liable to this disease. Now, what do you think of the reasoning laid before the British public by the head of the Medical Department of the Local Government Board? It is that, from a medical and statistical point of view, the unvaccinated and the vaccinated live under exactly the same conditions. I hope before we have gone on long we may begin to use our own judgment, as well as rely on eminent medical men. I would call the attention of the House to a case in which a poor woman, an inmate of St. Pancras Workhouse, in this Metropolis, was, by order of the medical officer, vaccinated within a few hours of her confinement; and I would ask if the Department will stop that most inhumane practice? I do not believe that the Medical Profession, as a body, approve of the practice. It is monstrous that poor waifs and strays, in such circumstances, should be subjected to vaccination when admitted to a workhouse. You will be surprised to hear that small-pox is 72nd in the order of diseases and in the order of fatality last year. It is said that last century, during an epidemic in London, when that City happened to possess 1,000,000 of inhabitants, some 4,000 persons died in one year of small-pox. Therefore, these vaccinators now say that the deaths before vaccination was introduced into London were 4,000 per 1,000,000. It is quite as unfair as if I took the epidemic years of 1871-2, and said so many thousands had died under vaccination, and had given that average per 1,000,000. The House may be surprised to learn that in 1881 there were 57,000 deaths from bronchitis, 48,000 from phthisis, 33,000 from heart disease, 17,000 from scarlet fever, 13,000 from whooping cough, and 13,000 from cancer. I will not mention such causes as drowning by accident; but pleurisy caused from 1,200 to 1,300 deaths, and boils 1,066. I come on to small-pox, the deaths from which are given at 648. [*Ironical cheers.*] Will hon. Gentlemen tell me why, in 1871-2, there died 44,000 of small-pox? Then the population had been vaccinated, for vaccination had been brought into perfect play in 1857, and the population was enjoying its unrestricted advantages. Now, I want to point out the increase of the deaths from infantile diseases in one year owing, as we contend, to vaccination. The argument on the one side is, small-pox once very rife; now very greatly reduced. The catechism founded upon that is this —What is the cause that scarlet fever is so rife? The answer is—"Nature." What is the cause when it diminishes? "Nature." What is the cause when cholera increases? "Nature." What is the cause when small-pox is abundant? "Nature." What is the cause when small-pox is scarce and rare? "Vaccination." It is a question of statistics founded upon very doubtful evidence. How do you find out the unvaccinated? You have Returns from the hospitals; but in confluent small-pox you cannot find the marks if there has been vaccination. People, too, have been admitted with 16 or 17 marks; but how do you tell? They may ask the poor patient when he is nearly dying. It may be poor Joe, from Tom-all-alone's, and the medical man naturally says—"Write it down 'unvaccinated.'" But people say to you—"Do you accuse the whole of a respectable Profession of being in league and falsifying all the statements? I do not say wilfully falsifying; but they have something else to think about than investigating these matters, and if a thing is doubtful they will, according to their prepossession, put it down this way or that way. ["No, no!"] It is all very well for hon. Gentlemen to say "No, no;" but will they put themselves in the position of those who are collecting these facts? Do they imagine that a medical man, whose time is busily occupied with the living sufferers, will go searching the arm of a poor dead patient? Why, he would do it at risk to himself. Even in the last year or two a surgeon has fallen a victim, though he was vaccinated; and nurses have been attacked and died of small-pox. The Report of the Registrar General, who is not a medical man, contains pages of reasoning facts in favour of vaccination. They are all possessed with a belief in vaccination, and they stand by it. Now, there are seven or eight diseases specially inoculable by vaccination; and all or most of these have increased the number of deaths of children under one year of age, as shown by a Return moved for by me (No. 433), 1877. Among them syphilis. Another disease is cancer, which has greatly increased in the population of all ages. It has increased 70 per cent. Now, the House would like to pause, and turn to the medical gentlemen and ask them, can they guarantee us against the possibility of this fearful disease being propagated by vaccination? The study of this question by medical men is yet in its infancy. They are busy with microscopes, and saying that certain diseases can only be conveyed if there is a speck of blood in the vaccine. They really know little about the subject yet, and until they have amply satisfied us that they are agreed among themselves, we ought not to approve of these compulsory laws. Diseases of the mesenteric glands, or internal scrofula, have increased 30 per cent; and it is highly probable that that may have been caused through vaccination, until the contrary is ascertained. Twenty-fourth in order of fatality on the list of diseases comes scrofula, which has maintained its previous rate. The next is the disease of syphilis; this has increased 127 per cent, and has multiplied four-fold in proportion to the births, as compared with the rate in 1847, when the statistics were first taken. The 61st cause of death is one of phlegmon or boils; this has just doubled. This heading formerly included pyæmia or blood poisoning, now separated; and we can easily see that boils and pyæmia are the sort of disease that could be easily conveyed by vaccination. In these circumstances, is it to be wondered at that the law is evaded and prosecutions take place? I hope this House, as the guardian of public liberty, will set itself with determination to have these prosecutions stopped. They have amounted to thousands. Poor men have had their beds sold from under them, both here and in Ireland, and have been forced to endure cruel poverty, because, in their own simple language, they had seen So-and-so's child dying, or little Mary suffering dreadful pains in consequence of vaccination. And yet the magistrates are called upon to perform these duties under a law so little supported by scientific knowledge, and so discredited by competent persons. I believe it is tottering to its downfall, and I hope this House will not be the last of the Legislative Assemblies—I hope it will be among the first—to take off this iron grip from a suffering population, and say that no man shall, against his will, incur the dangers to his offspring which this practice offers.

Motion made, and Question proposed,

"That, in the opinion of this House, it is inexpedient and unjust to enforce Vaccination under penalties upon those who regard it as unadvisable and dangerous."—(*Mr. P. A. Taylor.*)

Sir JOSEPH PEASE, in rising to move, as an Amendment, to leave out all the words after the word "That," in order to insert the words—

"A Select Committee of this House be appointed for the purpose of ascertaining whether a limitation of the accumulation of penalties for non-vaccination can be effected without endangering the practical efficiency of the Vaccination Acts,"

said, that when he saw his hon. Friend's Notice on the Paper he assumed that the hon. Gentleman would dwell rather on the question of penalties than argue how far the law relating to vaccination had been successful or otherwise. For his own part, his voice had been always raised against cumulative penalties upon those who had refused to have their children vaccinated. The whole action of that House had, generally speaking, been against cumulative penalties. There were several arguments against such penalties as sanctioned by the present Vaccination Laws. In the first place, they worked most unjustly. The rich man was able to pay them; but the poor man, who was unable and was unaided by his friends, was obliged to go to gaol. And yet what they wanted to do was left undone, because they dared not take the child out of its mother's arms and have it vaccinated according to their Statutes. It was in the Consolidation Act of 1867 for the first time that the cumulative penalty was laid down, and ever since there had been a great outcry against the hardship and injustice of the infliction. In 1871, a Committee appointed by the House, and composed of very able men, sat to consider this subject. On that Committee were, among others, the right hon. Member for Bradford (Mr. W. E. Forster), the late Mr. Stephen Cave, the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith), Lord Robert Montagu, the hon. Member for Manchester (Mr. Jacob Bright), the right hon. Member for Edinburgh (Sir Lyon Playfair), and the hon. Member for Oldham (Mr. Hibbert); and they came to the unanimous conclusion that when two penalties or one penalty of £1 had been imposed on the parent, no further penalty should be inflicted in respect of the same child. That recommendation of the Committee was based upon the opinions of the ablest authorities that could be obtained by the House. A great deal of feeling existed as to these Penalty Clauses, and the popular dislike of them had occasioned a long series of difficulties. In 1875 a Blue Book was published, which contained statistics of the prosecutions under the Act. If these figures were brought down to date they would show that an enormous number of persons had since been prosecuted and fined, and that very many children still remained unvaccinated. Indeed, so great were the difficulties experienced by the Boards of Guardians that the Local Government Board, while the late Government was in Office, sent out a Circular begging the Guardians not to prosecute the same person more than once, lest "fruitless contests" with the parents should tend to defeat the object of the Act by exciting sympathy for the persons prosecuted. Surely the Local Government Board must have felt, when they issued that Circular, that the law as it stood was very unsatisfactory. He was one of those who had been vaccinated and re-vaccinated without finding any benefit or any harm from it. For his own part, he held that the balance of evidence was decidedly in favour of vaccination; but it seemed certain that the operation was not always harmless. A well-known authority on the subject had, in fact, admitted this, and had said that it was impossible to guarantee either perfect safety or perfect care in the performance of the operation, and cases had even been known in which syphilitic eruptions had been caused by vaccination from an apparently healthy child. These and similar facts naturally created alarm; and he thought, therefore, that while the law should be enforced quietly and judiciously the accumulated penalties did more harm than good. The hon. Baronet concluded by moving the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee of this House be appointed for the purpose of ascertaining whether a limitation of the accumulation of penalties for non-vaccination can be effected without endangering the practical efficiency of the Vaccination Acts,"—(*Sir Joseph Pease*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR LYON PLAYFAIR: Sir, if the Resolution of my hon. Friend the Member for Leicester (Mr. P. A. Taylor) meant nothing more than it expresses, a very short argument would be necessary to meet it. But it must be read between the lines, as a distinct attack on vaccination, root and branch. When my hon. Friend began his agitation, he did not dispute the protective powers of vaccination; but he objected to its compulsory application. That is all that is implied in express terms in his Resolution now; but his speech shows it means much more than it expresses. In the mind of my hon. Friend, vaccination itself is an evil thing, and ought to be extirpated. If he so believed, his Resolution ought to express his belief, and he should bring in a Prohibitory Act, as was done in the case of inoculation in 1840. My hon. Friend and the Association with which he acts attack vaccination on two grounds. The first is, that it is positively injurious, as a means of introducing disease into the bodies of the vaccinated; and the second is, that it has no protective power against small-pox, which it is supposed to prevent or mitigate. I will deal with these fundamental objections in order. The assertion that vaccination produces disease was carefully examined by a Committee of this House in 1871. An active Member of that Committee was my hon. Friend the Member for Leicester; and he will bear me out when I say that we carefully heard the evidence of the anti-vaccinators, and formed a unanimous conclusion upon the evidence which they produced. The allegation that vaccination has been known to produce syphilis was practically proved, in a few cases in which vaccine lymph had been taken from children suffering from congenital syphilis. The possibility of such infection is a terrible fact; but, fortunately, one of the extremest rarity. We had it in evidence that, among 151,316 re-vaccinations of soldiers, not one such case had ever been observed, although among them syphilis is far from rare. Since 1852, about 17,000,000 infants have been vaccinated in England and Wales; and among these, if there were any large truth in the allegations, not tens but hundreds of cases must have been observed; and yet it is extremely doubtful whether half-a-dozen central cases of propagation have been reasonably suspected. But though this offensive disease is only possible by the grossest neglect, certain skin diseases, such as erysipelas and eczema, are alleged to be consequences of vaccination. Admittedly, they may follow the irritation of vaccination, just as they follow the irritation of teething, or as erysipelas frequently appears after a surgical operation. Generally, they are instances of *post hoc;* but, in a few cases, as at Norwich, they are *propter hoc.* Very rarely have they been fatal. That they have been so in very rare instances does not constitute an argument against vaccination. Who would forbid the use of anæsthetics in surgical operations, because patients have died from their use? Who would stop the use of narcotics, because to some persons they produce the sleep of death? Who would prevent men drinking water, because sometimes polluted water produces typhoid fever? So the Committee of 1871, after hearing all the evidence tendered against vaccination as the producer of disease, came to the conclusion, in the words of the Report, that—

> "There need be no apprehension that vaccination will injure health or communicate any disease."

It is true that my hon. Friend the Member for Leicester moved the omission of these words; but what were those which he proposed to substitute? They were these—

> "That some few cases of disease have been communicated by vaccination; but the danger is so infinitesimal in respect of proportion that, subject to the conditions mentioned above, the Committee do not hesitate to express their conviction of the practically safe character of the operation."

I think, then, as my hon. Friend himself, acting as a judge, after hearing the evidence, characterized the subject "as infinitesimal in respect of proportion," I need not trouble the House with any further remarks on this branch of the subject. I therefore pass to the second postulate of my hon. Friend—that vaccination is no protection against small-pox. Do not forget what is the nature of the disease against which we seek protection. Sir Thomas Watson describes it, in a few words, as—

> "The most hideous, loathsome, disfiguring, and probably, except hydrophobia, the most fatal also of the various diseases to which the human body is liable."

Against this mutilative and hideous disease we seek to erect barriers by vaccination. Individually, persons, since the time of Jenner, protected themselves. The amount of protection, even by its discoverer, was thought to be equivalent —but no more than equivalent—to that of an attack of small-pox. In most cases, when men have had measles, scarlatina, or small-pox, they are protected from future attacks, but not invariably, for there are some persons who are subject to more than one attack. In the call of the House of Lords to the Royal College of Physicians, to report to Parliament on the whole subject of vaccination, this liability is stated in express terms. This Report is dated 1807, or nine years after Jenner had published his discovery. The words are—

> "Where small-pox has succeeded vaccination, it has been neither the same in violence, nor in the duration of its symptoms, but has, with very few exceptions, been remarkably mild, as if the small-pox had been deprived by the previous vaccine disease of all its usual malignity."

That is precisely the state of our knowledge now, so that it is no discovery of the anti-vaccinators that there are cases of post-vaccinal small-pox. In examining the state of vaccination, we must compare the mortality from small-pox with that of the last century. This, Dr. Farr tells us, was 3,000 per 1,000,000 of the population annually for the whole country. For the first 40 years of this century, vaccination was promoted among the people by charitable agencies, and the mortality had fallen to 600 per 1,000,000 by 1840, or it was then only one-fifth the amount of last century. Still, 600 per 1,000,000 is a high rate of mortality; and Parliament began, in 1841, to give funds for gratuitous vaccination, so as to spread it more rapidly among the people. This continued till 1853, and the mortality was now 305 per 1,000,000, so that gratuitous vaccination of the State reduced the mortality to one-half. Then, in 1853, Parliament passed an obligatory law, which remained without efficient administrative means of enforcing it till 1871; but still, during this period of obligatory vaccination, the mortality fell to 223 deaths per 1,000,000. In that year a law was passed, making it compulsory on Boards of Guardians to appoint vaccination officers; and, since that time, the average mortality has been 156 per 1,000,000. Every successive step, then, in promoting vaccination has been followed by a great reduction in the rate of mortality. Voluntary efforts reduced the mortality of the last century from 3,000 to 600 per 1,000,000; gratuitous vaccination by the State reduced it to 302; an obligatory law, inefficiently administered, reduces it to 223, and the same law, under vaccination officers, further reduces it to 156. That is the general result as regards England and Wales. Scotland and Ireland did not get a compulsory law till 1863, or 10 years later than England. Their mortality at that time was from 50 to 100 per cent greater than that in England. In the next 10 years there were two years of a very heavy epidemic; but still the average mortality of this decade was 214 per 1,000,000 in Scotland, and only 108 in Ireland. From 1875 to 1882, the rate in Ireland has been only 72 per 1,000,000, and is scarcely measurable in Scotland, for it is only 6 per 1,000,000. My hon. and learned Friend the Member for Stockport (Mr. Hopwood), both in and out of Parliament, points to the epidemic of 1871-3 in Scotland, as a refutation of what they deem a supremely silly remark of mine, that the Vaccination Acts in Scotland were sufficient to stamp the disease out of that country. That is exactly what it has done. The words "stamp out" are borrowed from the Cattle Plague Commission, of which I was a Member. The Cattle Plague Commission thought that the measures recommended by them were sufficient to stamp out the disease, but not to keep it out, for great epidemics are like huge tidal waves, which may roll over any ordinary embankments. And recollect that these embankments are never continuous, for the residue of the unvaccinated always leaves holes in our embankments, which allow the advancing waves to pass through at all times. Vaccination is, under ordinary conditions, a sufficient protection; but, in the presence of a great epidemic, it is overtopped, and small-pox spreads over a country, attacking the unvaccinated and those whose protection has worn out by age—as it increases in volume, the vaccinated, too, are carried away by it; but vaccination is their life-belt, and they rarely perish. It was so in Scotland, in the great epidemic to which I will allude later on in greater detail. When such an epidemic strikes a population, they become terrified, and they rush in crowds to be vaccinated. At that time, the compulsory law had existed for eight years in Scotland, and only the infant population had come under its influence. But still the people of Scotland, not being blessed with Anti-Vaccination Societies, rapidly extended vaccination among themselves, and stamped out the epidemic. Since then small-pox has scarcely existed in that country. For the last few years, the total number of deaths have not exceeded 10 per annum. These great reductions in the rate of mortality from small-pox I believe to be wholly due to vaccination; but my hon. Friend the Member for Leicester attributes them to the improved sanitation, and to the improved habits of the people. But, if that were true, this sanitation must equally affect other diseases, besides small-pox; and no doubt it does, but to what amount? If we compare the period of gratuitous vaccination with that of efficient compulsory vaccination, the Registrar General tells us that, among children under 5, the small-pox mortality has decreased by 80 per cent; while that from all other diseases has only decreased by 6 per cent. As age advances beyond 15 years, mortality does decrease in other diseases, probably from sanitation; but it increases as regards small-pox, showing how little influence that has as a factor in governing the progress of that disease. The cause of the increased mortality in small-pox at advanced ages is, probably, that there are still many unvaccinated, and that among the vaccinated the protective power wears out as age advances. The fact, however, conclusively shows that improved sanitation has little connection with the large reductions in the rate of mortality from small-pox over the whole community. The results which I have described are the figures of the Registrar General, and are derived from an examination of long periods, so as to include the epidemic and non-epidemic years. How is it that they sound so differently from the figures given by the Mover of the Resolution? He startles you with large figures, such as 40,000 deaths in the Metropolis during an epidemic, and he rarely throws them into comparable rates of mortality. He also relies chiefly on the Returns of London mortality, and puts on one side the saving of life throughout the country. But I intend to meet him on his own ground, and to show that the case for compulsory vaccination is best supported by epidemic periods. Modern science tends to show that such diseases as small-pox arise from the growth in the blood of minute organisms. Now, like other crops, there are good and bad years for this growth. Just as there are good years for pears, apples, and plums, so there are good years for small-pox, measles, and scarlatina. In the case of small-pox, these good years come every fourth or fifth year, and then the crops are good, or excessive. There are three varieties of small-pox, which represent themselves in the epidemics. The first is discreet small-pox, where the pustules are separate and distinct, and it is rarely fatal. Then comes the confluent small-pox, where the pustules run together. In this form nearly half, or 50 per cent, of the unvaccinated die. Of the vaccinated, when attacked, 15 per cent die. Thirdly, comes the black, or malignant form, which rarely attacks the vaccinated; but when it does it proves as fatal to them as to the unvaccinated, for 95 per cent of the persons attacked by this form of small-pox die. It rarely visits this country now in an epidemic form; but it did appear in a marked manner in the epidemics of 1871-2, and the London epidemic of 1881. It was largely seen in the epidemic which devastated France in 1870, and which passed all over Europe in that and the two following years. Just as "Black Death" followed in the train of the Wars of the Red and White Roses, so did malignant small-pox follow the camps of the French and German Armies in 1870. Both Powers had about 500,000 men in the field, but under very different conditions. Germany was quite prepared for the war, and had its troops under perfect organization. All its recruits were re-vaccinated. In ordinary times, France also encourages the re-vaccination of the recruits; and in the year before the war about 40,000 recruits were so treated. But Prussia does it more systematically, and in the same year vaccinated 216,426 of its soldiers. Nevertheless, in the earlier part of the year 1870, the Paris garrison had scarcely any small-pox, while 1,000 of the civil population had already died. The recruits, who were hurried in from the Provinces, soon added to the military deaths. Dr. Leon Colin, the Physician General of the French Army, has published a work on the small-pox epidemic during the war. He tells us that the levies hurriedly raised were unvaccinated. I give his own words—

> "The different Armies raised thus in haste, and placed in the field without time for re-vaccination, were exposed, both at their places of gathering and in their marches, to the attack of this epidemic;"

and the consequence was that during 1870 and 1871 no less than 23,469 French soldiers died of the disease, of whom 1,600 died in the garrison in Paris, out of an Army of 170,000. The small-pox followed the German camps also; but only 263 of their well re-vaccinated soldiers died. It was not because they were Germans that small-pox spared them; for it attacked the City of Berlin in January, 1871, and was nearly as fatal to the civil population there as it was in Paris during the siege. Germany had an obligatory law; but it was inefficient, and without penalties. I contend that the German soldiers escaped on account of their re-vaccination. Many hundreds of them were prisoners in Paris during the siege, and only one of them was attacked by a mild form of small-pox. Could a more pronounced experiment on a large scale have been made in regard to the value of vaccination? This epidemic became pandemic; for it not only devastated Europe, but invaded both North and South America, as well as the South Sea Islands. Before describing its ravages in this country, I may as well say how far it influenced our 90,000 re-vaccinated soldiers. It entered our Army, as it did this country, in 1871, and lingered in it during 1872; but during these two years it only killed 42 soldiers. The epidemic of 1871, however, struck the civil population of England and Wales strongly, and was exceptionally severe in the Metropolis. With the exception of local outbursts in Birmingham, Liverpool, and Salford, the small-pox, since 1873, has been very small in all our large towns, except London, where it has lingered, and came as a renewed outburst in 1877 and 1881. Most of the arguments of the anti-vaccinators are derived from Metropolitan small-pox. Thus, in 1880, the total deaths in England and Wales from small-pox were 648, out of which London alone was responsible for 471. The epidemic of 1871-2 was general and severe; but the recent epidemics of 1877 and 1881 have been mainly Metropolitan. I mentioned that, before vaccination was introduced in the last century, the deaths from small-pox throughout the country were 3,000 per 1,000,000, over periods embracing epidemic and non-epidemic years; but, in the heavy malignant epidemic of 1871-2, the death-rate was 928 per 1,000,000 over the whole country. The average death-rate from small-pox in the Metropolis before vaccination was above 4,000 per 1,000,000, and in the great epidemic year 1871 it was 2,420 per 1,000,000. So that, even in this exceptionally severe epidemic, the death-rate was only about one-half of that of average years in last century. The anti-vaccinators say—Why did it enter into a Metropolis, of which, at least, 95 per cent of the people are vaccinated? But that 5 per cent means a residue of 190,000 unvaccinated persons, besides all the imperfectly vaccinated, and those in whom the protective effects have worn away by age. Surely, that is soil enough for a good harvest of small-pox. While, therefore, other parts of the country seem to have recovered from the great epidemic influence of 1871, London has not yet gained control over the disease. It had practical immunity in 1873-4-5; but outbursts came in 1877 and 1881—in the latter year, to about one-third of the extent of 1871, but still amounting to 640 per 1,000,000. That, large as it is, represents only one-fifth the average mortality of the last century. The other parts of England and Wales, during the same year, had only a mortality of 100 per 1,000,000. The anti-vaccinators point to the fact that there were absolutely more cases of small-pox among the vaccinated than among the unvaccinated during the epidemic—a fact which obviously must arise when 95 per cent are vaccinated. Looking at the epidemic generally throughout the Kingdom, the argument may be put in this way. When the 1871 epidemic went over the country, there was an infant population of more than 3,000,000 under five years of age. It consisted of two classes in daily intercourse with each other; but one class (the vaccinated) was 30 or 40 times more numerous than the other. They, however, lived intermixed, residing in like houses, eating the same food, and breathing the same epidemic air. In the class which was 30 or 40 times the size of the other, 413 deaths occurred; while, in the smaller class, 1,780 deaths occurred—that is, four deaths occurred in the smaller class for every death which occurred in the class which was 30 or 40 times larger. If you convert that into a rate of mortality for each class, you will find that the rate of mortality was from 120 to 160 times greater among the unvaccinated, than among the vaccinated children. The only circumstance which differentiated these millions of children was vaccination; and, as the incidence of small-pox was so enormously different in its mortality, according as the class was or was not vaccinated, the conclusion as to a very large amount of protection in the case of children is irresistible. If you carry the argument to the general population of all ages, the Registrar General tells us that, in the same number of people, the vaccinated give one death, and the unvaccinated 44 deaths. My hon. Friend the Member for Leicester bases his argument also on the fact that the town which he represents, though so badly vaccinated, has had little small-pox, or practically none at all, in recent years. That is equally true of well-vaccinated and badly-vaccinated towns throughout the country. In 1872, Leicester was not a badly-vaccinated town; and, perhaps, my hon. Friend might argue that was the reason why it had 313 deaths. Well, I earnestly hope it will not soon come under an epidemic wave; for I can give him an instance of a large town which did neglect vaccination amongst its people, and of the results which followed when an epidemic struck it. Leipsic was the centre of a most zealous propaganda against vaccination, in which the Anti-Vaccination Associations were powerfully assisted by the Press. The result of their agitation was that infantile vaccination had been greatly neglected; and Leipsic was in that happy state which Leicester now rejoices in, of having refused to vaccinate its children. Leipsic had been singularly free from small-pox, as Leicester now is. In 18 years, from 1851 to 1870, it had only 29 deaths from this disease, and the Anti-Vaccination Propaganda pointed to it with triumph. But the pandemic reached this town of 107,000 inhabitants towards the close of 1870, and killed 1,027 of its people, or at the rate of 9,600 per 1,000,000. The infantile death-rate was terrific. There were 23,892 children living under 15 years of age; and among them were 715 deaths—actually 3 per cent, or at the terrible rate of 30,000 per 1,000,000. I have given an example and a warning; but I doubt whether my hon. Friend the Member for Leicester will profit by it. If my hon. Friend cares to know my authority for these statements, I refer him to accounts of the Leipsic epidemic by the German physicians, Wunderlich and Thomas. The Vaccination Acts are not sufficient to resist a great epidemic wave; but they act as a breakwater and lessen its force. In the last Metropolitan epidemic of 1881, it was found that 90 in every 1,000,000 of the vaccinated died from its effect; but no less than 3,350 per 1,000,000 of the unvaccinated perished. The reason for that is, that even when confluent small-pox strikes the vaccinated, it becomes modified or mild in 73 per cent of the cases, and retains its virulent form in only 27 per cent. But when it strikes the unvaccinated, 97½ per cent of the cases pass through the virulent form, and only 2½ per cent become mild. Hence the perils of attack are vastly greater among the unvaccinated than among the vaccinated. An analysis of 10,000 cases in the Metropolitan hospitals shows that 45 per cent of the unvaccinated patients died, and only 15 per cent of vaccinated patients. My hon. Friend the Member for Leicester treats these hospital statistics as wholly incredible; but they are verified by the hospital statistics in our Provinces, and also by those of all other countries during the pandemic. He can only deny them by assuming that a huge conspiracy exists among the medical men of all nations for the purpose of injuring mankind at large. A conspiracy has some supposed advantage to be gained by its success. But how can doctors all over the world benefit by keeping doctors poor through making their patients healthy? These statistics of disease correspond in countries which have compulsory laws and in those which have not. Across the Atlantic there is no direct, though much indirect compulsion, and no motive to falsify statistics of mortality. But in America the mortality among the unvaccinated was even greater than in London during the pandemic. In Boston the rate of mortality among the unvaccinated was 50 per cent; in Philadelphia 64 per cent; and in Montreal 54 per cent; while the deaths of vaccinated patients ranged between 15 and 17 per cent. The arguments of anti-vaccinators are so Protean that one never knows where they are. When they assert that vaccination is no protection against small-pox, and does not lessen mortality, our reply is conclusive. But, in the same breath, they admit a largely diminished mortality by vaccination, but say that it does not lessen the sum of human mortality, for when small-pox deaths lessen, other diseases increase; and they seem to invite us to enter a Golden Age, when all of us should take small-pox as of yore, in order to protect us against other diseases. They attach no importance to the discoveries of modern science, which clearly point to the fact that each disease is specific in its character, and that as little could you produce bronchitis, scrofula, or consumption from *vaccine virus* as you could produce a rose from a cauliflower or a mastiff from a guinea-pig. That other diseases may produce a greater number of deaths when devastating small-pox is subdued is as certain as the mortality of man, for if he does not die of one thing he will die of another. But an expensive Return was made to the House in 1877, giving the deaths from 15 diseases before and after vaccination. This Return showed that some diseases had an increased, and some a lessened mortality; but for their purposes they are ludicrously perplexing. Thus, the main increase was in bronchitis, which has about the same relation to vaccination as the Goodwin Sands have to Tenterden Steeple. Erysipelas, scrofula, and convulsions, which are the pet outcomes of vaccination, had actually decreased upon the whole population. Syphilis, indeed, had marvellously increased; but the Registrar General has since told us that the classification was different in the first and second period, and could not be compared. While, therefore, fully admitting that man is mortal, and that he must die of something, I believe, both in logic and in fact, that the conclusions drawn from this 1877 Return are just as worthy as if I asked the House to accept as a conclusion that the few deaths from small-pox in Ireland in 1882 were the causes of the increased number of Fenian assassinations in that year. Surely the history of this last epidemic tells us most clearly that the foe is at our doors, stronger and more hostile than he has ever been during this century. It is the same form of small-pox which killed Queen Mary, wife of William III., described by Macaulay in these terms—

> "The Plague had visited our shores only once or twice within living memory; but the small-pox was always present, filling the churchyards with corpses; leaving on those whose lives it spared the hideous traces of its power; turning the babe into a changeling, at which its mother shuddered; and making the eyes and cheeks of the betrothed maiden objects of horror to the lover."

When he thus described small-pox, everyone was as subject to it as we are now to measles; and happy were the survivors who passed through with unimpaired health or without disfigurement. Now, thanks to vaccination, though its malignity at the present time is as great as then, we have, to a large extent, protected the population by compulsory laws; and it is this protection which it is sought to remove by a Resolution, concealed in its purpose, but obvious in its design. I fear that I have wearied the House by statistical results; but they could not be avoided. To my mind they prove conclusively that small-pox is now as malignant and loathsome a disease as it was 200 years ago, and that it is only kept at bay by the protective influence of vaccination. This Resolution, if adopted, would bring us back to the year 1840, by which time charity vaccination had reduced the mortality of 3,000 per 1,000,000 to 600 per 1,000,000; for I presume it would be followed up by another Resolution preventing State funds being used for optional vaccination. Compulsory vaccination has reduced the mortality, including epidemic periods, to one-fourth this amount; but we are to renounce this advantage because there are certain parents who think the law is unjust and oppressive. We have many laws interfering with personal liberty. We restrict hours of labour to working men, although many of them think our restriction unjust. We punish the rash traveller who jumps into a train in motion, although it would injure no one but himself. If small-pox affected an adult individual only, his right to it could scarcely, however, be disputed. We do not punish a man for burning down his own isolated mansion, if no one is injured but himself. But we do punish him if he risk a neighbour's property by his act. Every case of small-pox is a new centre of contagion. A man may exercise his own personal taste for any disease which he chooses, provided that he does not injure his neighbours by his idiosyncracy. But when he produces the omissional infanticide of his own and his neighbour's children by neglect of duty, the State may intervene to protect the young population from a fatal and mutilative disease. This disease is just as fatal and hideous as it was in the last century; but it has been controlled by wise and beneficent laws. Will you allow the country to slip back to the period of voluntary vaccination, and disseminate many thousands of new centres of contagion among the community? That is the question which you are asked by the vote of to-night to determine.

Dr. CAMERON said, that as his hon. Friend the Member for Leicester (Mr. P. A. Taylor) had made frequent references to him in the course of his speech, the House would consider him entitled to explain his views on the matter. He had never been afraid to express what he considered to be the truth, because it did not happen to coincide with the general opinion of the Medical Profession. He had examined the vaccination question for himself, and had adopted a view resulting from a thoroughly impartial investigation. His hon. Friend had not gone so far as many anti-vaccinators, and had not denied the infectious character of small-pox, which was really the basis of the case of many anti-vaccinators. He had maintained, however, that the disease was one purely due to defective sanitation. While maintaining that, he had omitted to mention, in regard to the last epidemic in London, a most remarkable fact—namely, that during the last small-pox epidemic in London, taking two classes of children, one vaccinated privately, and the other by the public vaccinators, the smaller class — those who were vaccinated privately — the children of wealthy parents, who could afford to pay considerable attention to the operation—suffered three times as heavily as the majority of the children of the poor who were vaccinated at the public stations. He would not traverse the facts so ably laid down by the right hon. Gentleman who had preceded him (Sir Lyon Playfair), but would point out one fact to which the right hon. Gentleman had not alluded—namely, that it had been discovered by Dr. Marston that the effectiveness of vaccination depended not merely upon the operation having been performed, but upon the extent to which it was performed. Dr. Marston had divided his cases into the unvaccinated; those whose vaccination was doubtful—who said they had been vaccinated, but bore no traces of it; and those who had one, two, three, or four marks, and with regard to whose vaccination there could be no doubt whatever. This division of cases had brought out a remarkable fact, which had been followed up by a large number of investigators ever since; and the consequence had been that during the past 40 or 50 years large numbers of cases had been tabulated in that way. Two years ago he had had occasion for another purpose to analyze these figures, and he found that amongst 27,215 cases of small-pox amongst persons concerning whose vaccination or non-vaccination there was no doubt, of 8,600 persons unvaccinated, 3,400, or 40 per cent, had died; whilst out of the other batch of over 18,000 vaccinated persons the mortality had only been 7½ per cent. Thus, the mortality amongst the unvaccinated was shown to be six times as great as amongst the vaccinated. It was said these statistics were not worth the paper on which they were written, for the reason that when severe cases of small-pox occurred, it was impossible to detect the vaccination marks, and the patients were, therefore, put down as unvaccinated; but the mortality amongst those whose arms bore no traces of vaccination was not 40 per cent, as was the case amongst the non-vaccinated, but 28 per cent. That, in itself, appeared to knock the feet from under this theory of which he was speaking. But wherever it was possible to see the vaccination marks it was possible to count them; and, in the case of vaccinated persons, the question as to whether there were one, two, three, or four marks was one about which there could not be reasonable doubt. The statistics collected within the last 50 years showed that the mortality in cases of small-pox occurring in persons bearing only one mark of vaccination, was twice as great as that in cases where there were two marks, and three times as great as where there were three or four marks. The hon. Member for Leicester said that was all nonsense, and that if the matter were looked into it would be found that the mortality was really only affected by the age of the persons attacked with the disease—that was to say, that if they took cases occurring in children of the age of five years they would find that there was no correspondence between the amount of vaccination and the amount of protection from the disease of small-pox. In a document which had been widely circulated—his open letter to Dr. Carpenter — the hon. Member had made statements of this kind. He had stated that amongst a certain number of cases of children under five who had only one mark the mortality had been 22; where they had two marks, 28; three marks, 18; four marks, none; and five marks, 16. He further asserted that the same result was to be obtained in the cases of persons of between 30 and 40 years of age. If these statements had been correct, he (Dr. Cameron) confessed he should have given up faith in vaccination, and have believed it to be the utter delusion the hon. Member said it was; but, on inquiry, he found that the hon. Member took only the statistics for a single year. He (Dr. Cameron) had taken the statistics for 10 years, and he found that the death-rate amongst cases of five and under, and between 30 and 40, exactly corresponded to the law laid down by Dr. Marston. The hon. Member, he found, had made his computation on an absurdly inadequate basis. He had based, for instance, his percentages with regard to four marks in children on seven observations, and with regard to five marks on six observations; and he had done the same thing with the cases of between 30 and 40 years of age. The hon. Member twitted believers in vaccination with a foolish credulity; but, surely, if he could attach any importance to percentages based on such absurdly inadequate figures, his hon. Friend (Mr. P. A. Taylor) exhibited a credulity to which his opponents could lay no claim. As to mishaps sometimes occurring in vaccination, they were by no means necessarily attendant upon the operation. They might avoid them by avoiding vaccination from the human subject; by going to the calf they could insure absolute immunity from any of these evils about which so much was said. He did not believe the dangers of their present system of vaccination were anything near as great as the hon. Member had described; but, if they were, they could avoid them absolutely by going to the calf. His (Dr. Cameron's) complaint was, that the present practice was not efficient, for the reason that no attempt had been made to renew the virus in circulation in this country. If the virus were renewed, he believed that the protection, instead of being what it was—and it was now a great protection—would be many times greater. This had been proved in the early days of vaccination, when, in large populations, years had passed without a single death from small-pox. New virus had recently been employed in Belgium and other countries, and experience in these places had shown the good effects of it. He believed that if the President of the Local Government Board (Sir Charles W. Dilke) would apply his active and inteligent mind to this matter, with the view of renewing the virus in circulation in the country, he would do more than could be done by almost any compulsory law to make vaccination an absolute safeguard against small-pox. He agreed with the right hon. Gentleman who spoke last, that compulsion could not be done away with at present, because just now they had small-pox of a virulence unknown 50 years ago; and if they did away with it, with such a disease as this epidemic in the country, the result could hardly be other than to let loose on the population of the country for a generation at least a scourge the ravages of which would prove fatal to an extent unknown in the previous history of the disease.

SIR CHARLES W. DILKE: My hon. Friend who has just spoken will not, perhaps, at this hour of the night, expect that I should follow him into the question he has brought before the House; but I can assure him I sympathize with the views he expresses as to the extreme care with which we should inquire into the defences of a scientific nature to be provided against small-pox, and that I fully appreciate the services he has rendered in the past by the manner in which he has watched over the National Vaccine Establishments, and by the judgment he has on several occasions shown by putting Questions in the House as to the nature and character of lymph used. The two hon. Members who opened this debate—namely, the hon. Member for Leicester (Mr. P. A. Taylor) and Stockport (Mr. Hopwood)—used language so strong and so extravagant with regard to the effects of vaccination that I can only say that my feeling in listening to them, having been frequently vaccinated myself, was one of astonishment at finding myself alive to tell the tale. My hon. Friends had been so completely and crushingly answered upon the statistical side of this question—certainly in their manner of dealing with figures—by the right hon. Gentleman who spoke from the Bench behind me (Sir Lyon Playfair), that it is not necessary for me to do more than very briefly allude to that portion of the question to-night. Sir, the House has often had the advantage of hearing the right hon. Gentleman upon scientific and semi-scientific subjects; but I do not think we have ever enjoyed a greater treat in the way of scientific exposition than that he has afforded us to-night. It is always in his power to use figures so as to make them thoroughly intelligible to the whole House, and he has never shown his possession of that power more clearly than on this occasion. My hon. Friends the Members for Leicester and Stockport spoke a great deal about the effect of improved sanitary conditions upon the suppression of small-pox; they gave improved sanitary conditions as their reason for the decline, which they cannot deny has taken place, in the mortality. If we contrast the three successive periods—firstly, between 1847 and 1853, when vaccination was very general but optional; secondly, the period between 1854 and 1871—which the right hon. Gentleman spoke of as the obligatory period as contrasted with the permissive—and, thirdly, the period which has elapsed between 1872 and 1880, during which the obligation has been enforced by vaccination officers, we shall find, I think, one most important fact which was not mentioned by my right hon. Friend—namely, that the decline, which has been immense, has been exclusively amongst children under 10 years old. Now, that statement cannot be consonant with the other statement made by my hon. Friends—namely, that the decline in small-pox mortality has been owing to improved sanitary conditions. The reduction in the death-rate from small-pox, as between the first and third periods, has been from 100 to 51 among people of all ages, and it has been from 100 to 20 in the case of children under five years old. The corresponding reduction in the case of all other causes of death taken together has been from 100 to 93 in the case of persons of all ages, and 100 to 94 in the case of children under five years old—that is to say, that this extraordinary diminution has been entirely confined to small-pox, and has not extended to other diseases. The right hon. Gentleman (Sir Lyon Playfair) has fully and exhaustively dealt with the question of the prevalence of small-pox during the period before the introduction of vaccination. He has told the House that the period of absolute freedom from vaccination, for which the hon. Members for Leicester and Stockport sigh, will be what he called the "golden age," when every human being has had the small-pox. I may illustrate the truth of the hon. Gentleman's position by giving a quotation from one of the books of the day—to show the prevalence of small-pox during the last century. I saw it stated that in regard to election matters the destinies of the country were, at one period, ruled by Mr. Addington, who was said to be like the small-pox, which everyone was obliged to have at least once in his life. My hon. Friend the Member for Leicester refers to inoculation; he says that 150 years ago it was in full blast, and I took down those words with some astonishment. It was in 1717 that Lady Mary Wortley Montagu wrote her celebrated letter; but, although experiments were tried upon condemned criminals in 1721, it was not till 1745 that inoculation began to become at all general, and not till 1780 that it really became general. In London, between 1660 and 1680, there being no inoculation at that time, the mortality was considerably over 4,170 per 1,000,000. This was increased, but only slightly, under inoculation, 50 or 60 years later, when it was 5,160 per 1,000,000. Between 1760 and 1780 the mortality had risen to 5,120 per 1,000,000; but with the vaccination which was begun to be practised at the beginning of the present century, the mortality fell with startling rapidity, as has been shown by the figures given by my right hon. Friend. Therefore, it is impossible for the hon. Member to argue that any approach to greater mortality during the last century was owing to inoculation. But, besides London, we have reliable statistics with regard to at least one other place. There is an interesting pamphlet, entitled *An Inquiry into the Prevalence of Small-Pox at Kilmarnock.* There was in that town, in 1728, a schoolmaster, who, during the whole of his life, kept a careful register of the mortality in Kilmarnock, and a list of every death, with the cause of death set forth. That register has been most elaborately examined in the present day, and it was found that in those years the death-rate in Kilmarnock from small-pox, there being no inoculation—that is, before inoculation had reached that town—was 20 times greater than it is at the present time; while the death-rate from small-pox, in regard to children under five years of age, was 33 times greater than at the present moment. I will not weary the House by going through this register in detail; but I merely state the general results arrived at by an examination of these figures. The hon. Member for Leicester attempted to disprove the statement which has been frequently made, that the most carefully vaccinated cases—namely, the cases of the nurses in the London Small-Pox Hospital—are absolutely free from small-pox, although exposed to the greatest possible danger from that source. The hon. Member said that some of the nurses had died, but he gave no time or date; and I am prepared to state that I am sure he has been misinformed. I have made the most careful inquiry, and I have reason to believe that the nurses have always been vaccinated on appointment, and that the authorities have never known of the death from small-pox of a nurse in the London Small-Pox Hospital; and that in all the hospitals under the control of the Metropolitan Asylums Board there have only been three cases of small-pox among the nurses, and those have been slight cases caused by actual contact with persons suffering from the disease. I venture to say that it is a notorious fact, not only to every medical man, but to every Member of this House, that persons exposed to such dangers as these nurses are in their ordinary duties must have contracted small-pox and died had they not been protected by vaccination. The case of the London postmen has not been mentioned this evening; but it is a very interesting case. We have a Report respecting the 10,504 persons who are permanently employed in the Postal Service in London. This is the permanent number, and an immense number of persons must, therefore, have passed through the Service in recent years. All these persons have been required to undergo vaccination, unless they had been vaccinated within seven years previously; and out of the total number between 1870 and 1880 there has not been even a single case of death from small-pox, and there have only been 10 cases of small-pox, and those were of the slightest kind. In the Telegraph Department there has not been quite so complete an enforcement of re-vaccination; but there have only been 12 cases among an average permanent staff of 1,500 men. My right hon. Friend behind me, in speaking of the great epidemic and its effects on London, said he calculated that 95 per cent of the population had been vaccinated. My calculation is 96 per cent; but, whether my figures or his are right, there is, practically, no difference, and I will assume that mine are right, and will give some facts upon them. Assuming that 96 per cent are vaccinated, and 4 per cent unvaccinated, if the hon. Members for Leicester and Stockport are right in their contention that vaccinated and unvaccinated persons are equally liable to small-pox, we may see what the figures ought to have been, and contrast them with the actual figures. In the whole of the Metropolitan Asylums Board Hospitals, during the great epidemic, of 1,358 deaths, not 4 per cent, but 40 per cent, were among persons who were altogether unvaccinated. If we take a more recent epidemic, that of 1878, we find that of the total deaths in London up to the end of May information as to the presence or absence of marks of vaccination was supplied in the death certificates of 679 cases. That was towards the end of the epidemic, and these were deaths from small-pox in which there was some knowledge as to whether the persons had been vaccinated or not. Four hundred and fifty-three of these had not been vaccinated, and only 226 had been vaccinated; and that means that out of 3,360,000 people vaccinated in London 226 died, while of 140,000 unvaccinated persons 453 died. The hon. Members for Leicester and Stockport spoke of the increase in mortality from certain other diseases, and they were forced upon that point by my right hon. Friend (Sir Lyon Playfair). It is very difficult to deal with all diseases with scientific accuracy, because, as everyone knows who has looked into this matter, there have been changes of classification; and if you compare, even in the present day, the mortality in one town with that in another, you will find differences in regard to certain diseases, caused by a difference in classification as between town and town. That is more so as between county and county. There has been, on the whole, a steady diminution of mortality in the country, from 22·2 in 1851-60 to 21·4 between 1870 and 1880, and to 19·3 in 1881-2. But now the hon. Members contend that there has been an increase in mortality in certain diseases caused by vaccination, although I must say they were judiciously vague upon that subject. My right hon. Friend has made a reply to that which I wish to repeat. It is the only one of his arguments which I will permit myself to repeat; but it is so important that I feel it is necessary to call attention to it. The one disease put before us as caused by vaccination is erysipelas, and yet there has been a distinct decrease in the mortality from that cause. After what my right hon. Friend has said, I will not deal at any length with the question of communication of syphilis. As my hon. and learned Friend the Member for Stockport quoted the evidence of Mr. Jonathan Hutchinson, I wish, for a moment, to call attention to what that evidence was. The hon. and learned Member spoke of Mr. Hutchinson, who is a great authority on this subject, as if he had been a witness on his side. I will not go through the evidence of Mr. Hutchinson question by question, but will read a few lines from the analysis of that evidence, which is to be found in the index to the Report. The analysis says that—

> "Mr. Hutchinson gave evidence to the effect that there had been cases of this communication infinitesimal in numbers through an admixture of blood in the lymph—that is, through distinct malpractices in the vaccination; and that the risk is so slight that it should not stand in the way of compulsory vaccination. He says syphilis cannot be conveyed by pure lymph even from a syphilitic child."

That is a complete summary of his evidence.

Mr. HOPWOOD: What about Dr. Corey's case?

Sir CHARLES W. DILKE: Dr. Corey's case has been referred for examination to a Scientific Committee, and Mr. Hutchinson, in whom my right hon. Friend has expressed his confidence, is one of the gentlemen who have undertaken to carry on that inquiry for us. The hon. Member for Leicester spoke of the experience of Germany. I was astonished to hear him state that the experience of Germany was on his side; and he spoke generally, as though there had been a growth of European opinion in his direction. I cannot admit that that is, in the least, the case. If we look to other countries in which there has been a change in the law in recent times we find that there have been five changes, and of these, four are against my hon. Friend, and one which is apparently in his favour. I believe that in one Swiss Canton the compulsory law has been repealed, and that is the only one. In Denmark, re-vaccination was made compulsory in 1871 for the first time; in Holland, in 1872, it was made compulsory on all school children; in Roumania, both vaccination and re-vaccination were made compulsory in 1874; in Spain it was imposed, in 1874, on all persons under State control; and in 1875 a general law was, for the first time, imposed in Germany. There had been general vaccination in some States before that time; but in 1875 a general law was made for the whole of Germany. That law imposed vaccination on all children, and re-vaccination on all school children, and it is even a stronger law than that in this country. The hon. and learned Member for Stockport said that the point which was held most sacred by the Government—I think he spoke generally of the Local Government Board, and not under this Administration in particular, but under the Administration of both sides—was the principle of reiterated compulsion or repeated penalties to enforce vaccination. I do not know on what authority he made that statement; but I should like to call attention for one moment to the position which has always been taken up by the Local Government Board on that subject. The hon. Member for Leicester was a Member of the Committee of 1871 which reported upon this subject. That Committee reported to this House that the parent was liable to repeated penalties under the Act of 1867; but in Ireland he was not so liable. Now, it is a remarkable fact that there is no part of the British Empire in which the Vaccination Laws appear to have produced more favourable results than Ireland, unless it is Scotland; but both Ireland and Scotland are in a more advantageous position than England in this respect. The Scotch law on the subject is not very easy to explain in a few words, and I will refer hon. Members to the evidence of the Scotch witnesses to see how the Scotch law stands. But the Scotch law differs from the English law; and one of the Scotch witnesses was asked whether there were any cases of repeated penalties in Scotland, and he said "No," and expressed his view of the Scotch law in these general words—

> "There is much more deference to the feelings of the parents in the Scotch than in the English Act."

Yet under the Scotch law there is much more immunity from small-pox, and much more vaccination than in England. The Committee of 1871 expressed their doubt as to the wisdom of that law, and stated that it was desirable to secure in the highest degree the support of public opinion for the law on vaccination; and that Committee of which the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was Chairman, and of which the late Mr. Stephen Cave, the right hon. Member for Westminster (Mr. W. H. Smith), the senior Member for Birmingham (Mr. Muntz), the right hon. Member for the University of Edinburgh (Sir Lyon Playfair), the hon. Member for Leicester (Mr. Taylor), and the former Secretary to the Local Government Board (Mr. Hibbert) were Members, unanimously agreed to the Report which made the recommendation I have just mentioned. The result of that unanimous Report by a Committee, the opinions of the Members of which ought to possess such great weight, was that a clause founded upon it was carried through this House in 1871, but rejected by the House of Lords. Since the rejection of that clause by the House of Lords the policy of the Local Government Board has been to discourage repeated prosecutions. The policy of the Board was stated in a letter known as the Evesham letter, written by the right hon. Gentleman (Mr. Sclater-Booth) who was at the head of the Local Government Board under the late Administration. In that letter it was pointed out, in 1875, that—

> "The Guardians should carefully consider with regard to each individual case the effect which the continuance of proceedings is likely to have in procuring the vaccination of the individual child and in insuring the observance of the law in the Union generally. The Board are prepared to admit that when, in a particular case, repeated prosecutions have failed in their object, it becomes necessary to carefully consider the question whether the continuance of a fruitless contest with the parent may not have a tendency to produce mischievous results by exciting sympathy with the person prosecuted, and thus creating a more extended opposition to the law. The Board entertain no doubt that in all cases the Guardians will not fail to exercise the discretionary powers confided to them in the manner best calculated to give effect to the law."

In 1881, my Predecessor, the present Chancellor of the Duchy of Lancester (Mr. Dodson), stated, in a letter known as the Oldham letter, that he saw no reason for modifying the views expressed in the Evesham letter; and, consequently, the policy of the Board continued in accordance with that letter. In June, 1880, a Motion was brought before the House by the hon. Member for Glasgow (Dr. Cameron); and in the debate on that Motion the present Chancellor of the Duchy of Lancaster said that the Government intended to sanction the abolition of cumulative penalties. The right hon. Gentleman (Mr. Sclater-Booth), speaking from the Front Opposition Bench, said he agreed with his right hon. Friend that no benefit was likely to arise from repeated prosecutions. As that is somewhat important, I would ask the House for permission to read a few words from the speech of the right hon. Gentleman. The right hon. Gentleman said that he agreed with the opinion—

> "That no benefit was likely to accrue from repeated prosecutions and convictions in the cases of those parents who would not allow their children to be vaccinated. That concession he had endeavoured to effect during the time he was in Office. . . . . When in Office, he had taken some trouble to ascertain the probability of an Act being passed, if introduced; and the result of his inquiries was that he had reason to believe legislation in that direction, during the late Parliament, would not have been successful. He did not think it would be more so in the present one, inasmuch as it was extremely difficult to get the majority, which he believed were in favour of the law in its present form, to vote for any change, though some change was, he thought, required."—(3 *Hansard*, [252] 1851-2.)

And the right hon. Gentleman added—

> "For his own part, he would be glad to see the cumulative penalties removed, for he believed by that means a good deal of unnecessary hardship would be prevented."

These opinions are my own opinions also, and they are the opinions of those who were responsible for the administration of the Department over which I have the honour to preside. Those who see the actual working of the present law are, in fact, of opinion that repeated penalties defeat their own object, and that they do not secure proper respect for the law by the people of this country. But just as the right hon. Gentleman opposite (Mr. Sclater-Booth) is doubtful that this is the view of the House, I am doubtful also on the same point. The present Chancellor of the Duchy of Lancaster (Mr. Dodson) brought in a Bill in July, 1880, founded upon the opinions which had been expressed by himself and by the right hon. Gentleman opposite in the course of the debate. That Bill was badly received, both by the House of Commons —and I am sorry for it, because, in my opinion, it was a wise measure, and one which would have been advantageous to the country—that Bill was badly received both by the House of Commons and by deputations from all parts of the country. ["Hear, hear!"] Hon. Gentlemen cry "Hear, hear!" but I frankly admit that those who had to do with the working of this law believed it would be desirable, in the interest of vaccination, to get rid of cumulative penalties. Certainly, I doubt whether that is the opinion of the House. I should have thought that a more practical debate, and a more useful debate, might have been raised, if my hon. Friends (Mr. Taylor and Mr. Hopwood) had brought a Motion before the House which would directly have tested the opinion of the House upon the subject of repeated penalties. The hon. Member for Leicester (Mr. Taylor), I gather, despises all change with regard to repeated penalties. I think the hon. Member would desire to see the law harsh, because he is of opinion that harshness would cause resistance, and therefore strengthen the agitation which he leads. That is my opinion; and it is not because I am unfavourable to vaccination, that I am opposed to cumulative penalties. The hon. and learned Member (Mr. Hopwood) has made it a charge against the Government that they are desirous of retaining repeated penalties, as though he would have been glad to see repeated penalties abolished; and on that matter I fancy I see a difference of opinion between the Mover and Seconder of the Motion. Of course, I do not exactly know whether my hon. and learned Friend (Mr. Hopwood) is opposed to repeated penalties; but, if that be his view, he had better raise the question distinctly before the House by bringing a Motion forward on the subject. We have various Motions before the House to-night, and the Amendment which is immediately before the House is the Amendment proposed by the hon. Baronet the Member for South Durham (Sir Joseph Pease) in favour of an inquiry by a Select Committee. I do not think that is a case for a Select Committee. The Committee for which my hon. Friend moves is not a general Committee, with regard to the advantages or disadvantages of vaccination; but a Committee to inquire whether there could not be some limitation to the penalties imposed under the law. I do not think my hon. Friend's own end would be much served by an Inquiry, because he has already the unanimous Report of the Committee of the House in his favour. He has the Report of the Committee containing names amongst its Members as weighty as any he can find in the House. Therefore, any further inquiry would have little effect in serving the hon. Gentleman. I would rather invite the hon. Gentleman to move a Resolution regarding repeated penalties, so that the opinion of the House may be ascertained in regard to them. I would like my hon. Friend to withdraw his present Amendment, because I should prefer to support the Amendment which stands in the name of the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair), and which will, if the present Amendment be withdrawn, be moved. That Amendment is one expressing the view of the House in favour of vaccination; but afterwards it goes on to speak of such modifications as experience may suggest. I believe that one of those modifications would be that which is favoured by my Predecessor in Office— namely, the abolition of repeated penalties. In that sense I shall vote for the Amendment of the right hon. Gentleman the Member for the University of Edinburgh, if the right hon. Gentleman has an opportunity of moving it.

Mr. SCLATER-BOOTH said, he thought the right hon. Gentleman the

President of the Local Government Board (Sir Charles W. Dilke) had exercised a wise discretion in dealing, as he had, with the Resolutions before the House. It was quite true, as the right hon. Gentleman had said, that in the Office where he (Mr. Sclater-Booth) once administered, and also in the House, he had deprecated the practice of inflicting repeated penalties. The right hon. Gentleman, however, had not stated the foundation of his (Mr. Sclater-Booth's) views on the subject; and therefore he would trouble the House with a few observations on that point. It was evident that the compulsory system of vaccination was desired by the House, and he believed by the country; but Parliament had never gone so far as to require that infants, whose parents declined to bring them to be vaccinated, should be taken from their parents *vi et armis*, for the purpose of undergoing the operation. The House had shrunk from doing that; and, so long as it did so, there would always be difficulty with regard to cumulative penalties, because the parents, comparatively few in number, who would submit to these penalties were *quasi*-fanatics; and the infliction of cumulative penalties had the same kind of mischievous effect as imprisonment or prosecution in cases of religious fanaticism in former generations. When cumulative penalties came to be put into operation in particular cases, it was quite evident it had a mischievous effect. He endeavoured, during the time he was in Office, to mitigate the hardship of the penalties; but when Parliament was asked to remove the power of inflicting the cumulative penalties, the proposal entirely changed the compulsory principle which underlay the whole of their Vaccination Laws. The mere removal of cumulative penalties would not be satisfactory to the House or to the country, and that was not the policy he would desire to see in force. He did not think it would be wise, under the circumstances in which they found themselves, to enter further into the question. It might be possible, however, to place the Local Government Board Inspector in charge of the case, after the recovery of one or two penalties from the parent, and that officer might be held responsible for continuing, or for forbearing to continue, the summoning of the parent. That might, probably, be the best solution of the question. He did not think Parliament ought to agree to the abolition of cumulative penalties unless with some security of this sort. He had never advocated the abolition of the cumulative penalties except in this sense; and it was only on account of the difficulty in which they found themselves in regard to the cumulative penalties that he had expressed himself adverse to the policy of retaining them. He had no doubt that the application of the law required to be enforced by some system of cumulative penalty; but he thought the administration of the law, after a certain number of penalties had been recovered, should be placed on some public authority, rather more weighty, or rather more responsible to the House, than the local authorities who now administered the Act.

SIR JOSEPH PEASE, said, that after the very strong expression of opinion on the part of his right hon. Friend the President of the Local Government Board (Sir Charles W. Dilke) on the question of cumulative penalties, and considering that the Amendment to be proposed by the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) provided for such modifications as experience might suggest, he was quite prepared to do what he felt was desired by the House —namely, that he should withdraw his Amendment in order that the issue might be taken upon the Resolution of the hon. Member for Leicester (Mr. Taylor) and the Amendment of the right hon. Genman (Sir Lyon Playfair).

MR. THOMAS COLLINS said, that before the Amendment was withdrawn, he wished to say that the House was by no means bound by the opinion of the Head of the Local Government Board, or by the opinion of the hon. Gentleman the Member for South Devon (Sir Joseph Pease), in respect to cumulative penalties. If they abolished cumulative penalties they would have Anti-Vaccination Societies raising subscriptions, and the whole object of Parliament would be defeated. Cumulative penalties were not novel things in law. He had had to do with the administration of the Education Act; and if a parent declined to send a child to school, it was a very common thing for him to be repeatedly summoned and fined. If cumulative penalties were abolished in this case they ought also to be abolished in the case of the drunkard. In that case, after a certain number of convictions there would be no cumulative penalties, and the habitual drunkard would be able to be drunk and disorderly for the rest of his life. He wanted to know why a different law was to be applied in the case of vaccination to the one they applied in the case of School Board prosecutions, and in prosecutions for drunkenness? If the right hon. Gentleman the President of the Local Government Board ever proposed to abolish cumulative penalties, he (Mr. T. Collins) hoped the House would not do what appeared to him to be so foolish a thing as to remove cumulative penalties and allow the law to be set at nought.

Sir TREVOR LAWRENCE said, an occurrence took place at Rotherhide not long ago, the recital of which would possibly impress the bitterest enemy of vaccination. A man who had been a vehement anti - vaccinator ingeniously managed to arrange affairs so that no members of his family were vaccinated. During the late epidemic one of his children took small-pox. The child recovered, but the mother, who nursed it, took small-pox and died; two other children died of the disease, and three more had to be taken to the hospital. Bad as this was, there was more to come. The anti-vaccinator borrowed from a neighbour a suit of black clothes in which to attend his wife's funeral. Shortly after the clothes were returned their owner took small-pox, was conveyed to the hospital, and died there. Since then, other houses had become affected, and in all 16 cases of small-pox had been taken to hospital. Comment on such a case was needless. They could not have a more conspicuous example of the danger that they were subject to by having anti-vaccinators in their neighbourhood; and he sincerely trusted that a very decisive majority would pronounce in favour of vaccination.

Mr. P. A. TAYLOR said, with the permission of the House he would say just a very few words in reply. They had had a very interesting speech from the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair), and, as the President of the Local Government Board said, it was one of his excellencies that he knew how to deal with figures well. In regard to that, of course it was impossible at that hour to follow all the statistics, and he (Mr. Taylor) was quite prepared to leave the matter to the judgment of the House and the country, and would now only say that the right hon. Gentleman had largely dealt with mere assertion and the recognition of foregone conclusions. He asserted that danger from vaccination was rare and infrequent, and he called him (Mr. Taylor) as a witness to this as a fact, and read something which, in past years, he moved in the Committee on the subject, observing that, if that were so, then he need say no more. But this was a little hard upon him, seeing that he had since read his recantation, and had come to the conclusion that vaccination was altogether a mistake. While the right hon. Gentleman appealed to him to confirm his assertions, he forgot higher authorities—higher authorities than himself—medical authorities, notably that of Mr. Brudenell Carter. He declared that small-pox had decreased, and he declared that the decrease was due to vaccination; but he went no way to prove it. He forgot that small-pox had distinctly diminished, according to the evidence of Dr. Farr, before vaccination came into operation at all. He declared that because small-pox continued to diminish that vaccination caused it; but, in a similar way, he might declare the power of vaccination to stop the Plague, which had not appeared in England for two centuries. He took little account of distinguished medical authorities, who arrived at a different belief to himself, as to the influence of vaccination on zymotic disease. He drew a distinction that he (Mr. Taylor) was quite unable to comprehend as to the meaning of his own expression, "stamping out the disease;" and he said—"We can stamp it out, but we cannot keep it out." To ordinary minds it would mean that vaccination would prevent people dying of the disease; but he said it would not do that. Nevertheless, he said it would "stamp out" the disease. There was only one more matter he would touch upon—the story, the bogus story, that the right hon. Gentleman brought forward of the mortality from the disease in the French and German Armies during the Franco-German War—a bogus story founded on the Report of Dr. W. B. Carpenter, SIR LYON PLAYFAIR said, his authority was not Dr. Carpenter, for the quotation which he read was from Dr. Colin, the Physician General of the French Army.

MR. P. A. TAYLOR said, no one really believed that the number of deaths was 22,000; and he had the authority of Dr. Bayard for saying that these were not the numbers that died, but the numbers that had the disease. Again, it was asserted that the whole of the French Army were re-vaccinated before the war; and Dr. Carpenter replied —"Yes; the whole of the original Army." But it must be recollected that those recruits who fought at Orleans and the latter part of the campaign were not re-vaccinated; and he had the authority of Dr. Oidtmann for saying that the mortality among those who were re-vaccinated was greater than among those who were not. The deaths from small-pox in Paris in 1871 were said to be 1,600; and the illustration of vaccination and small-pox in Paris in that year was one of the most remarkable that had been recorded in history, and an able memoir of it had been written by Dr. Spinzig. In January of that year there was a great fear of a coming epidemic. Re-vaccination was enjoined on everybody; and all Paris was excited on the subject. In one *Mairie* no less than 2,000 persons presented themselves for re-vaccination. They held the opinion that there was danger in human lymph, and they went direct to the calf. Month after month the epidemic increased, and during the time re-vaccination was in operation the mortality still went on increasing, until the medical authorities decided on vaccinating no more, and, in a few months, the mortality returned to its normal character.

MR. J. HOLLOND said, he wished to say a word on the withdrawal of the Amendment. If the Amendment was withdrawn, those of them who, like himself, were in favour of the abolition of cumulative penalties would have no alternative but to vote for the Motion of the hon. Member for Leicester. The Amendment of the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) meant simply the *status quo,* whatever interpretation might be put upon it by the right hon. Gentleman the President of the Local Government Board. However beneficent a discovery they might believe vaccination to be, it did not follow that the best means of extending its usefulness throughout the country was to enforce it by pains and penalties; and if he voted for the Motion of the hon. Member for Leicester, it would be because he wished to protest against these cumulative penalties.

Amendment, by leave, *withdrawn.*

Amendment proposed,

To leave out from the word "House," to the end of the Question, in order to add the words "the practice of Vaccination has greatly lessened the mortality from small-pox, and that Laws relating to it, with such modifications as experience may suggest, are necessary for the prevention and mitigation of this fatal and mutilative disease,"—(*Sir Lyon Playfair,*)

—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 16; Noes 286: Majority 270.—(Div. List, No. 145.)

Main Question, as amended, put.

Resolved, That, in the opinion of this House, the practice of Vaccination has greatly lessened the mortality from small-pox, and that Laws relating to it, with such modifications as experience may suggest, are necessary for the prevention and mitigation of this fatal and mutilative disease.

ELECTRIC LIGHTING PROVISIONAL ORDERS (NO. 9) BILL.

On Motion of Mr. JOHN HOLMS, Bill for confirming certain Provisional Orders made by the Board of Trade under "The Electric Lighting Act, 1882," relating to Bristol, Grantham, and Lowestoft, *ordered* to be brought in by Mr. JOHN HOLMS and Mr. CHAMBERLAIN.

Bill *presented,* and read the first time. [Bill 238.]

PUBLIC BUILDINGS (DOORS) BILL.

On Motion of Mr. COLERIDGE KENNARD, Bill making it compulsory on all constructors of public buildings that Doors should be hung so as to open outwards, *ordered* to be brought in by Mr. COLERIDGE KENNARD, Mr. BERESFORD HOPE, Viscount FOLKESTONE, and Mr. WILLIAM FOWLER.

Bill *presented,* and read the first time. [Bill 239.]

House adjourned at half after
One o'clock.

HOUSE OF LORDS,

Wednesday, 20*th June*, 1883.

Their Lordships met for the despatch of Judicial Business only.

House adjourned at half past One o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 20*th June*, 1883.

MINUTES.]—Public Bills—*Second Reading*—Sea Fisheries (Ireland) [31]; Vice-Royalty (Ireland) [37], *debate adjourned*.

Report—Inclosure Provisional Order (Hildersham) * [209]; Land Drainage Provisional Order (No. 2) * [210]; Metropolis Improvement Provisional Order * [173]; Metropolis Improvement Provisional Order (No. 2) * [174]; Metropolis Improvement Provisional Order (No. 3) * [175]; Metropolis Improvement Provisional Order (No. 4) * [214]; Local Government Provisional Order (No. 10) * [206]; Local Government Provisional Order (No. 6) * [195]; Local Government Provisional Order (No. 8) * [199].

ORDERS OF THE DAY.

SEA FISHERIES (IRELAND) BILL.

(*Mr. O'Kelly, Mr. Blake, Mr. Leamy, Mr. O'Connor Power, Mr. ODonnell.*)

[BILL 31.] SECOND READING.

Order for Second Reading read.

Mr. BLAKE, in moving that the Bill be now read a second time, said, he thought that at the outset it was well to state that there were two reasons which would recommend the Bill to the majority of the House and to English Members. In the first place, it did not propose to make any claim whatever upon the Imperial Exchequer, and if the Bill became law the British taxpayer would not be asked to contribute anything to carry out the object it had in view; in the next place, the Bill had the approbation of the great majority of Irish Members on both sides of the House. The object of the Bill was to develop an important Irish resource out of purely Irish money. Now, the leading drawbacks to the development of Irish fisheries were, first, a want of means on the part of the fishermen to procure suitable and sufficient boats and gear. This drawback was caused in a great measure by the disastrous Famines of 1847 and 1849, and subsequent years; and no portion of the Irish people suffered so much in these periods of depression as the fishermen in consequence of the people being obliged to fall back on meal diet, to which fish was not a suitable accompaniment. The result was that the boats and gear had to be sold, and the people were never in a position afterwards to regain them so as to enable them to follow successfully that calling. Now the requirement of loans to enable fishermen to procure boats and gear was to a great extent met by a fund appropriated for that special purpose, and it was not intended, for the present at least, to make any request to provide money for that object. In passing he thought he might say that the fund now used to provide those loans was exclusively Irish money, also that already £50,000 had been expended in the last 10 years; and to show the honesty and punctuality of the fishermen, he need only add that of that sum of £50,000 the arrears at present amounted to only £1,000; and this £1,000 the Report of the Board of Works showed that a good deal of it was recoverable. What was at present chiefly required for the development of the Irish fisheries was proper harbour accommodation for fishing boats; but before he proceeded to dwell on that subject, he thought it would be desirable to describe the descriptions of fishing in Ireland. There were two classes of fishing in Ireland. There was migratory fish, which included mackerel, herrings, pilchards, &c.; and there was permanent fish, that was where the fish remained more stationary, such as cod, plaice, ling, hake, &c. Now, the seat of the great mackerel fishing in Ireland was in the South. It had been hitherto carried on along the coast, at Kinsale, with very good results, and that fishing was of so large a character that it had not only attracted English fishermen, but also many Manx and Scotch fishermen, and some French fishermen came there also. As regarded the habits of migratory fish, the pilchard afforded a remarkable example. About 100 years ago there was a great pilchard fishery on the coast of Cork;

but for some unaccountable reason they passed over to Cornwall, and Irishmen went over there to teach the Cornish people how to capture and cure it. Some years ago, however, the pilchards had abandoned the Cornish coast and gone again to Ireland; but, in the intervening years, the Irish fishermen had got out of the habit of curing pilchards, and the consequence was that these fish remained uncaptured on the coast of the County Cork. Hitherto mackerel kept near to Kinsale; but now it had moved more to the West, and was to be found in great quantities off the coasts of Kerry and Clare, where there were not sufficient harbours of a good character to afford shelter to the boats fishing for mackerel. Migratory fish afforded an illustration of the proverb, "Make hay while the sun shines." The fish were to be found in one place for a time, and if they were not captured immediately they might move off again to some other point. In the County Clare, which was represented by his hon. and gallant Friend opposite (Captain O'Shea), there was a harbour called Carrigaholt, about 12 miles up the Shannon, and in 1881 about £28,000 worth of mackerel was brought in there; but, in consequence of the want of accommodation for the boats, the fish had to remain there a great length of time without being landed. And so the boats were delayed often three times as long as they ought from the fishing grounds; and he had the authority of Mr. Brady, the experienced Inspector of Irish Fisheries, for stating that if there was sufficient accommodation at Carrigaholt, last year £100,000 worth of fish would have been brought in there; so that owing to the want of accommodation £80,000 worth of fish had been lost to the fishermen and consumers. Along that line of coast, from Carrigaholt to Liscannor, County Clare, there was no harbour for 30 miles; there was no suitable harbour, in fact, from the mouth of the Shannon to Galway Bay, a distance of 70 miles, for large fishing craft. This was only an illustration of what might be said of other long stretches of coast without harbours, while fish abounded outside, and numbers of hardy and industrious men were ready to reap the rich harvest of the sea if they only had shelter for boats. Now, let them see what was the state of the Scotch coast. Before the Harbours Committee a few days ago they had the Scotch Inspector of Fisheries, and he stated that there was scarcely five miles of the Scotch coast that had not a harbour, and that harbours were rarely 10 miles apart; and the consequence was so much advantage to the Scotch fishermen, that the amount of fish caught on the coast of Aberdeen itself exceeded in value the rental of the entire county of Aberdeen. Let the House turn its attention now to the herring fisheries which were to be found on the East Coast of Ireland, and it would find another illustration of the uncertain habits of migratory fish. Mighty shoals of herrings were found some years ago on the Galway coast, and also on the coast of Donegal, and so important were the Donegal fisheries that the Irish Parliament spent large sums in making harbours there and in facilitating the transport of fish through the country, and in this way hundreds of thousands of pounds were realized by the people of Donegal before the Union. Some years since, however, the herrings "sought fresh fields and pastures new," and now the coasts of Donegal and Galway were almost abandoned by them, and nearly the whole of the herring fishing of importance was on the East Coast, where there was insufficient harbour accommodation. Now he came to the fishing banks where certain classes of fish remained permanently. There were in Ireland several important fishing banks. There was the "Nymph Bank," running from the coast of Wexford to the coast of Cork, so called because it was discovered by the cruiser *Nymph*. Fifty years ago this bank was considered of so much importance that a Company with a capital of £50,000 was formed in England for the purpose of fishing it; but so great was the jealously caused by the project amongst English fishermen, that representations were made to Parliament of the injury it would do to the English fishing industry, and, incredible as it might seem, the Bill was thrown out by the House of Commons when it was introduced in 1804, and the opportunity of properly developing that great fishing bank was ever since lost. Next there was a very important bank of ling and other fish on the Kerry coast; and coming along by Galway, Clare, and Mayo there were other important banks frequented by permanent fish. Going around by Donegal there were other mighty banks, and some from Tory Island to the coast of Londonderry. These were not a half, perhaps not a tenth part, of the resources of Ireland in the way of fisheries. In 1837 a Bill, founded on the recommendation of a Royal Commission, was introduced by the Government, which was calculated to resuscitate the fisheries; but, again, a Bill was abandoned, which promised to do much good for the Irish fishermen, in the interests of the Scotch fisheries. Thus the Irish fishermen had had to struggle against very adverse influences, and this now gave them a stronger claim to be afforded the opportunity of prosecuting their industry successfully. There was no reason to suppose that there was not as much fish on the Irish coast as formerly; but the fact was, that while the capture by English fishermen amounted to about £8,000,000 worth, and by Scotch fishermen to £3,000,000 worth, that taken immediately off the coast of Ireland was only £500,000 a-year, while a considerable portion of even that was taken by fishermen not belonging to Ireland, showing how inadequately the Irish coast was fished. He would now pass on to the harbours that were recommended for the development of the industry. There were 15 maritime counties in Ireland, and there were recommendations by the Inspectors with regard to 14 of them for improving and increasing harbour accommodation. Now, to show the great desire of the Irish fishermen to prosecute their calling he had only to say that there were applications made for the improvement and construction of 100 harbours, and of those the Inspectors had recommended upwards of 70 as of pressing necessity, at a cost of over £250,000—namely, Cork, 10; Clare, 9; Donegal, 15; Down, 2; Galway, 9; Kerry, 6; Londonderry, 1; Louth, 2; Mayo, 6; Sligo 2; Waterford, 6; Wexford, 2; and Wicklow, 2. The Bill proposed to take the sum necessary for those works from the Church Surplus Fund; and, as that relieved the British taxpayer from any charge in the matter, he hoped the Government would consent to this expenditure of Irish money for Irish purposes. The Report of the Fishery Inspectors for last year, and, indeed, for many years past, showed the great necessity there was for increased harbour accommodation, and the great advantage the people would derive from it. Many of these harbours, the Report stated, would not require any large expenditure to put them in a proper condition, but, small as the expenditure would be, it was entirely beyond the means of the localities to raise it. He was glad to say he had a very much higher authority, as far as rank was concerned, to quote upon the desirability of establishing fishery harbours around the coast of Ireland. In the paper which the Prince of Wales read yesterday at the Fisheries Conference on behalf of the Duke of Edinburgh, His Royal Highness said—

> "The fisheries on the coast of Ireland offer a wide field of enterprize, and their development would tend to promote the welfare of the Irish people. Already the English, Manx, and Scotch boats which prosecute the mackerel fisheries have commenced to find their way to the West Coast of Ireland, where they have obtained remunerative returns for their labours. Within the last three years Dingle Bay has become a considerable rendezvous of the mackerel drift boats for the early season's fishery. The experiment was first tried in 1881, and was so successful that increasing numbers of boats have resorted there in the two following years, making it their head-quarters for the prosecution of the deep-sea drift fishing, and sending their fish by steamer to the English markets. The necessities of the crews of these boats must undoubtedly give a considerable stimulus to local traffic, and contribute towards the prosperity of the surrounding district; but I hope this will not be the only result. I look for the gradual extension of an organized system of fisheries up and down the whole West Coast of Ireland, which is singularly favoured in the possession of numerous natural harbours most suitable for fishing ports if the inhabitants of those coasts were to realize that the sea will yield them a far more abundant harvest than their rocky and barren soil will give—a harvest practically inexhaustible, always ripe and ready for the sickle."

He also stated that Ireland was well furnished with natural harbours. That was the fact to some extent; but around the circuit of Ireland, which was 2,500 miles, there was a great deficiency of natural harbours which did not require some outlay to render them complete. There were numerous creeks which fishermen utilized; but, owing to the tempestuous character of the sea along the coast, breakwaters were essential, in addition, in many places. Before the Famine years there were exactly five times the number of men and three times the number of boats engaged in the Irish fisheries. The reason for this was—and he wished to impress this point upon the House—the Famine of 1848 and 1849 had obliged thousands of the fishing population to abandon their occupation, and part with their boats and gear, and most of them had never since been able to obtain others. Even now, those having boats and willing to work were obliged to live for a great part of the year in enforced idleness owing to the want of suitable harbours. They had not harbours which afforded them sufficient shelter. If the weather was at all strong, the fishermen were afraid to go to sea, knowing the difficulty they would have in getting back again. Weather of a certain roughness was suitable for fishing purposes; but it frequently happened that before they had had time to make any considerable haul the men became alarmed at the prospect of rougher weather, and returned to land. In a great number of instances where harbours had been made, important results had followed from the increased number that had gone to fishing pursuits with advantage; and in places where harbours had been improved, the fishermen had often been enabled to make two additional fishings in one day. The testimony that was given by His Royal Highness was, he thought, of a most satisfactory character, as showing what could be accomplished by having suitable harbours around the coast, and showing also that the non-development of the fisheries did not arise from any indisposition on the part of the people to fish. They required very much larger boats and improved harbours. The coast of Ireland had always been celebrated for the quantity of fish in the seas around it. The Danes were induced to invade the country on account of the large quantities of fish resorting to its shores, and English Monarchs in the 16th century received large sums from some foreign Potentates who desired to purchase for their subjects the right of fishing in those waters. The French and Flemish fishermen fished on the Irish coast whenever permitted. The best fishing localities were handed over to foreigners for a consideration, and efforts were even made to prevent Irishmen themselves from deriving benefit from their fisheries. The Cromwellian Parliament was inundated with Petitions from English fishing stations praying that the fisheries of Ireland might be discouraged on account of the great injury caused by the competition of Irish fishermen to the trade of the English fishermen abroad. The result was that the fishermen were almost exterminated by the effects of the "transplanting law." Oliver Cromwell, who was a very practical person, sent some cargoes of Irish fishermen to Barbados, and other West India Islands, where they were sold at a good price to the planters, and where signs of their presence survived to this day. Not many years ago, for example, an Irish sergeant who had arrived in the principal port of Barbados with his regiment was surprised to hear himself greeted with the words "God save you," uttered in the Irish language by a negro who had boarded the ship. Concluding that the negro must be an Irishman, the gallant sergeant asked him how long he had been in Barbados. "Three months," replied the negro, who had come from a neighbouring island; and the sergeant, thinking that his friend's complexion had been changed from white to black in so short a time by the scorching sun, rushed, in great excitement, into the cabin where his wife and family were in order to have a last look at their fair faces before the commencement of the change which he anticipated would be caused in the hue of their skins by the baneful climate. The Irish Parliament, during its brief existence, did a great deal to promote the Irish fisheries, and the year before the Union was the most flourishing the Irish fisheries had for a long time. It gave large sums for the making of suitable harbours, and also for means of inland transport; but four years after the Union, as he had mentioned, the Bill to promote the fishing of the South-East Coast was thrown out of the House by a majority of 1. In 1832 there was a Royal Commission appointed to report on the condition and best means for improving the Irish Sea Fisheries, and its chief recommendations were embodied in a Bill; but on the day before the second reading was to be proposed the Duke of Sutherland headed a hostile deputation from Scotland to the Premier, and the Bill was abandoned. These were among the discouragements which the Irish fisheries had suffered; but, notwithstanding them, the Irish fishermen, by their own efforts, had placed the fisheries before the Famine in a fairly flourishing condition.

An hon. and gallant Baronet opposite, a Member for a Scotch constituency (Sir George Balfour), very often flourished in that House, and yesterday produced, for the last time in the Committee on Harbour Accommodation, a Return of the money spent by England on Irish Harbours, which the Return placed at £2,000,000; and whenever anything was asked for the Irish fisheries, this hon. and gallant Baronet quoted his Return, made out in 1875. However, he was authorized by Mr. Brady to state now that the whole sum expended by the British Government since the Norman Conquest on Irish fisheries was only £150,000; the remainder of the £2,000,000 was spent upon Royal Harbours—Kingstown, Dunmore, Howth, and Donoughadu—and he was in a position to state that the Government well recouped themselves for their expenditure by the sums received for postal purposes. That beggarly sum of £150,000 included the amount voted for the construction of harbours on the Western Coast during the late years of distress, since when the usual annual grant was suspended—now three years. A deputation, last year, waited upon the Secretary to the Treasury (Mr. Courtney), who gave them a courteous, but reluctant, interview; but the only result of the united efforts of nearly 30 maritime Members was that they obtained the magnificent grant for this year of £4,000. Supposing they had Secretaries of the Treasury of the same disposition as regarded expenditure on Ireland—and in justice to the present occupant of the Office he should admit he had never known them better—it would take nearly 100 years before the last of the harbours now recommended could be finished, to say nothing of other harbours which, in the meantime, might be considered necessary. By the proposal which he now made he would relieve the Government from any demands for the future on this subject, and relieve the Irish Members from the humiliation of making them. His proposal was, as he had stated, that the money should be taken from the surplus of the Irish Church Fund. They were told that there was probably no surplus. His authority for holding the contrary opinion was the Premier himself, who, on introducing a measure for applying a portion of the Fund to the payment of arrears, said that a certain sum was available. But some hundreds of thousands of the sum so granted had not been spent on the payment of arrears. At all events, let the House affirm the principle of the Bill, and the Irish Members would take their chance for the money. He contended, however, that it was the bounden duty of the Government, even if the money were to come out of the Imperial Exchequer, to grant the sum required. The hon. Member for Youghal (Sir Joseph M'Kenna) had shown, in an able pamphlet, and the hon. Member for Galway (Mr. Mitchell Henry) had also proved, in a letter to *The Times*, that Irishmen contributed far more than their fair share of the Imperial taxation; and therefore, in equity, a large amount was due to them by way of compensation for past over-contributions. But, even independent of that, the Imperial Government were bound to do all in their power for the benefit of Irish industry, and especially of the Irish fisheries, which had been not only discouraged by this country, but repressed in an arbitrary and cruel manner. There was even a still stronger motive, the motive of self-interest, he might say almost of self-preservation. The chief portion of our food supplies came from America, which some years ago put such heavy taxation upon goods of English manufacture that very little of them found their way into that country. We had, therefore, to send nearly all gold to America for our food supplies; and this he ventured to think that even the most enthusiastic Free Trader would admit was rather a losing game for England. But suppose a dearth occurred or a war broke out, which prevented those supplies from coming over, in what a position should we be! We should have starvation staring us in the face, and all for not having spent some money on what might furnish us with ample quantities of good and wholesome food. There was also at the present moment considerable alarm about the great decrease of the North Sea fisheries, which constituted our chief source of supply. Therefore, it was matter of considerable importance for England to do all she could to develop the Irish fisheries. There was another point on which he wished to touch. The 11th clause of the Bill provided that the Commissioners might, when they saw fit, defray the entire cost of any harbour. That would dispense with the condition requiring that, at least, a fourth should be raised by local subscriptions, the effect of which was, according to the Report of the Royal Commission on Irish Sea Fisheries in 1870, that harbours were not constructed in the most suitable places, because the people were often too poor to raise any portion of the money, and there was not sufficient interest felt in the fisheries to induce the cesspayers to contribute. When he was an Inspector of Fisheries a harbour was recommended to be made in a certain county at a cost of £2,000, the local subsidy being £500. About two miles distant a much more suitable harbour could be constructed for £1,500; but the local contribution could not be raised. These local contributions depended pretty much on the temper of the lord of the soil. If the harbour would be useful to him for yachting purposes he would contribute. A further clause gave power to appoint four unpaid Commissioners to represent the different Provinces, and to be associated with the paid Inspectors for carrying out the Bill. It would be desirable to have such a control exercised over the Department in the manner his Bill provided for. The Chief Secretary's time was so much occupied with other matters that he could not possibly attend to the fisheries; and it would be a great advantage to introduce an unpaid element into the Fisheries' Department. In conclusion, he would express the hope that as the Bill was promoted in the interest of the most hard working, the most enduring, and the most deserving portion of the people, the right hon. Gentleman would give an affirmative reply to his Motion for the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Blake.*)

The O'GORMAN MAHON said, that the hon. Member who had just concluded his speech had expressed a hope that those Members whose knowledge of the subject would be able to influence the House would do their best to press this Bill on the Government. On the part of his constituents he tendered his thanks to the hon. Member; but he was, at the same time, obliged to acknowledge that the hon. Member's speech was of so exhaustive character that there was little left to say. There had been no point omitted or neglected in the hon. Member's speech, and no point which was not sustained in a vigorous and powerful manner. The peculiar formation of the county which he (The O'Gorman Mahon) represented rendered it almost a matter of duty that he should stand up on behalf of the Bill. The county of Clare was surrounded by water on three sides. On the East, the South, and the South-East it was bounded by the River Shannon, and on the West by the Atlantic Ocean. It was united to Ireland simply by a neck of land; and if a short trench were dug from Scariff, in the County of Clare, to Kinvarra, in Galway, it would be rendered a complete island, holding no communication, except that artificially effected by bridges, with the rest of the Kingdom. Under these circumstances, the necessity of harbours for the fishermen was so obvious that, as an humble Representative of that proud county, he felt an extreme interest in and a desire to support this Bill. He hoped Her Majesty's Governent would take this question into consideration in a business-like way, instead of giving soft words and futile promises, and that English Gentlemen, no matter from what division of the country they came, would see the necessity of urging upon the Government that this Bill should be read a second time. If the proposals contained in it were carried out it would give a guarantee of peace, tranquillity, and order, which no Coercion Bill ever could effect, for coercion led to irritation and excitement. The employment of the poor, and the prosperity resulting from that employment, would be the best guarantee for the peace and harmony of the country. The form of the County Clare, as he had said, was very peculiar, and there were several harbours there already, both on the Shannon and on the Atlantic side; but they were comparatively useless. The inhabitants of this territory naturally depended on the fisheries to an unusual extent; and he need not point out the necessity of providing them with suitable harbours, but none such at present existed; and their most profitable industry was, therefore, pursued at a great disadvantage. In fact, the deep-sea fishery, the development of which was of the utmost importance to the people of this district, could scarcely be carried on at all, owing to the natural obstacles in the way of the fishermen. No breakwater existed, and there were no facilities for the reception of the larger vessels which were necessary for deep-sea fishing. The wretched canoes of the peasantry were wicker-work elongated baskets covered with greased skin or hide. He knew them when he was a boy, for he had spent many a night out in them with his father's fishermen tenantry; and he learned there lessons of the industrious character of the people which would never be effaced from his recollection. The cry was continually raised in England that Irishmen were lazy, indolent, thriftless; but these poor people worked all night long with nothing between them and the bottom of the ocean but a hide-covered wicker basket, for the purpose of obtaining subsistence for themselves and their families. There was not a more hard-working and industrious population anywhere; but they were poor, and what they wanted were facilities for obtaining boats and harbours, because at present they dare not venture far off for fear of being blown into the Atlantic; whereas, if they had fishing luggers, they would be able to face a contrary breeze. He sincerely trusted that the Bill would receive the support of the House, and that the two hon. Gentlemen now on the Treasury Bench (Mr. Trevelyan and Mr. Courtney) would assist the Prime Minister, who always desired to do all he could for Ireland. At Kilkee, the place with which he was connected in Clare, there was ample opportunity for the formation of a good harbour; and if an engineer went down with him he would point out the mode in which a harbour could be built, which would not only be of service to fishermen, but might, in the future, offer shelter to the ships of Her Majesty's Navy; and the necessary works need not be very expensive. On the opposite side of the Shannon an excellent harbour could also be made at Carrigaholt, an historic place, from which there departed at one time those Irishmen who at Fontenoy showed Englishmen how Irishmen could fight. The gallantry of the Irish Brigade defeated the British Forces in that hard-fought battle, and elicited from an English King the utterance of his memorable curse on the vile Penal Laws which drove such chivalrous soldiers into the ranks of England's enemies. History, it was said, repeated itself. Do not insist on banishing Irishmen from their native land. This coast was the seat of mountains of wealth rolling along for miles; but without sufficient appliances the people could not avail themselves of that source of wealth. It was a favourite imputation that Irishmen were lazy; that they lacked the self-acting principle; that they were indolent; but give them the opportunity of earning their bread well and honestly at home, and put a stop to the present exodus of people from a country which they loved, and very beneficial results would soon manifest themselves; and so they might avert the recurrence of a similar catastrophe. A judicious outlay, such as was recommended in this Bill, would do much. They demanded no money from the English taxpayer; it was their own money they wanted to expend; and was it not a humiliation to be obliged to come over to an English Parliament and ask for permission to spend their own money in furtherance of the welfare of their own country?

The O'Gorman Mahon

Mr. MARJORIBANKS said, that the hon. Member who moved the second reading of the Bill had referred to the East Coast of Scotland as an example to be followed in Ireland. The hon. Member alluded to the evidence recently given before the Committee now sitting on the Harbour Accommodation of the United Kingdom, to the effect that there were a great many harbours on the East Coast of Scotland. These harbours were to be held up as an example to be avoided rather than followed. It was quite true that along the East Coast of Scotland there was an infinity of harbours; but these were all small harbours, dry at low water, and, indeed, with the exception of Aberdeen, Buckie, Fraserburgh, and Peterhead, there was not a really proper fishing harbour along that coast. If he thought that this Bill was to promote the formation of harbours of that description, which were dry at low water, he certainly could not give it his support. It was absolutely necessary—and he believed might well be made an absolute condition of the giving or lending of any Government money—that harbours to be constructed by its aid should have a considerable depth of water at low spring tide. The hon. Member proposed to apply £250,000 to improving some 70 harbours. That would not do very much on 70 harbours, and he would rather see the £250,000 expended on some 15 or 20 good jobs. Big boats were necessary to work the fisheries properly in the stormy waters of the Atlantic; and they could not use big boats without harbours having a sufficient amount of water to give them shelter at all states of the tide. What was wanted was a number of good deep harbours, into which the boats could run when they were overtaken by the terrible storms which rage in that ocean. These people could not go out in small boats to prosecute their fishing with any prospect of success. It had been stated yesterday, in the Committee on Harbour Accommodation, on which he was sitting, that during all the troublous times in Ireland there had not been a single case of crime brought home to the fishing population. They had, all through, been the most orderly and most loyal portion of the population; and that alone should have some weight with English and Scottish Members in inducing them to support the Bill. He believed it was the fact that on the 2,500 miles of Irish Coast there were only 82 lights. That was an additional reason for doing something, as lights and harbours went very much together. He should vote for the second reading of the Bill, not that he would thereby pledge himself to all its details, but because he believed that one of the most pressing needs of Ireland was an extension of her harbours. He believed that it was perfectly impossible to estimate the advantage which would be gained by that country through the development of her resources—in the relief of distress, in the provision of good food to her people, and in the general advance of the orderly and quiet state of the country.

SIR HERVEY BRUCE said, he felt it to be his duty, as an Irish Representative, to give the Preamble of the Bill his hearty support, though the Bill itself would require considerable amendment. A part of his county faced the sea, and a number of men there were engaged in the fishing industry. During the prevalence of North-East or North-West winds, however, they could not go out, owing to the want of harbours where they could put in during stress of weather. People who endeavoured to assist themselves deserved to be assisted, and this was true of the fishing population in several parts of Ireland. In the town which he represented the people were, at the present moment, expending some £60,000 or £70,000 in endeavouring to make safer places of refuge for fishing boats on the Coast, as well as to increase the navigable powers of the River Bann, and to make it more easy of access. The Irish Society, too, which was so often abused, had contributed to this object the munificent sum of £30,000. Considering all the circumstances of the case, he hoped the Government would take a favourable view of the Bill.

MR. O'SHEA said, he should support the Bill of the hon. Member for Waterford (Mr. Blake), whose exertions in the cause of Irish fishermen ought to be fully recognized. He wished to explain, in reply to the speech of the hon. Member for Berwickshire (Mr. Marjoribanks), that their ideas on the West Coast of Ireland were very much more moderate than the ambitious schemes which found favour in Scotland; and when the hon. Member advised that the number of the harbours which it was proposed to deal with should be reduced, he was unaware that although these were called harbours, yet in many cases they were little more than creeks. Three small works had been done at a cost respectively of £600, £300, and £250, near to the places mentioned by his hon. Colleague (The O'Gorman Mahon), which had raised the inhabitants of these districts from a condition of penury into a very comfortable state. He was very glad, indeed, that the hon. Member for Berwickshire had borne testimony to the character of the men for whose sakes the House was asked to pass this Bill. Before the men in these three places got the grant they were almost wholly without boats or gear of any kind; but directly they got the grant, which was given with the most scrupulous care and judgment, they set to work, and the great catch to which the Prince of Wales alluded yesterday was made. Immediately they got that catch, the men, without spending anything on themselves, set to work to pay their debts and their rents. With regard to these little creeks, a great many of them could only be used at certain states of the tide, because of the rocks outside, where even the little native canoes could not pass; but if these creeks were improved, and employed as they could be for a small outlay, the inhabitants would be able to fish three or four times the length of time they were able to do so at present. He sincerely trusted the Treasury would not stand in the way of this Bill being accepted, seeing that it was supported by all shades of Irish opinion in the House. It was only two or three days ago he was talking to a very distinguished foreigner on the subject; and, after explaining to him the unprotected state of the County Clare, and the total want of fishing harbours, the gentleman replied that, generalizing from such details as those, he could well understand the difficulties of the Irish Question.

Mr. PLUNKET said, he desired to add a few words to the entirely unanimous accord which had hitherto characterized the debate in support of the main principles of the Bill. He wished, as far as he could, to give his hearty support to the measure. It would be impossible, either for himself or for anyone else, to add to the fulness or force of the statements made by the hon. Member for Waterford (Mr. Blake), especially having regard to his great experience on the subject; and he certainly could add nothing to the appeals made by the hon. Member for Clare (Mr. O'Shea), on behalf of those desolate and, he might almost say, desert places which the great O'Connell used to describe as "the parishes which lie next to America," and which, in the view of extracting wealth from the soil, were placed in most unfavourable circumstances. But if on dry land Nature had been somewhat stingy to these sea-bordered counties, she had been prolific in the supply of a great amount of food for the people in the sea itself. These were great sources of food and wealth, which might be utilized in their interest, and the interest of the people of other parts of the Kingdom. He wished to make a contribution to this debate from his own personal experience. He had spent a great part of his life in the County of Clare, the Kingdom of Kerry, the County of Galway, and the other counties on the Atlantic sea-board; and he could say it was true that there were ample opportunities for forming harbours which would be sufficient for the purpose of encouraging deep-sea fishing enterprize there. At present there existed hardly any harbours at all which were suitable for that purpose. The fishing population of these districts were hardy, industrious, and brave people, who were willing to face great risks; but the risks they at present had to encounter were, to a great extent, prohibitive of successful fishing operations there on a large scale. It was impossible to have proper fishing-boats without harbours into which those boats could run. As a matter of fact, the canoes were good enough for fine weather and fair seas; but it was most dangerous, almost amounting to certain destruction, to venture out in them when the weather was boisterous. He was sure it was correct to say that the takes of fish might be increased six-fold if only the people had proper harbours and proper ships. It was a happy coincidence that on the very day when this unprecedented unanimity was witnessed on the part of the Irish Members, there should appear in the leading journal the admirable speech which was delivered yesterday by the Heir to the Throne, at the Fisheries Exhibition, and which was composed by his brother, the Duke of Edinburgh. In that speech the case of the Irish fisheries was thus put with great force—

> "This, I think, is a remarkable proof of the benefits which might accrue to the inhabitants of the Atlantic sea-board of Ireland, if they could be induced to adopt fishing as a means of livelihood, instead of only pursuing it in an intermittent fashion. To follow the fisheries on these coasts, however, well-found vessels of sufficient size are necessary to contend with the Atlantic seas."

This was precisely the difficulty which stood in the way, and which this Bill sought to remove. There was no want of courage or willingness on the part of the population, nor was there any want of material in the shape of fish. All that was really wanted was a not very great amount of assistance in the way of money, for the purpose of constructing harbours in proper places. Under the existing law, it was necessary, in order to get a contribution for the formation of a harbour, that there should be a subscription raised on the spot; but it was often impossible to do this in the very places where harbours were most wanted. Difficulties might arise as to some of the provisions of this Bill; but he sincerely trusted that the Government would see their way to adopting the principle of it, and that they would hold out a hope that before long they would be able to give effect to the very useful policy which the measure proposed.

MR. W. E. FORSTER assured Irish Members that he should not detain the House for more than a few moments, inasmuch as very little required to be said. The case was a very strong one, and had been most clearly stated ; but he should just like to state that the experience he had gained in Ireland made him anxious that the House should pass the second reading of this measure. He trusted the Government would take the same view. The facts really lay in a nutshell. There was great poverty on the West Coast of Ireland, and there was enormous wealth. There was sufficient fish there to prevent the poverty, and there were the fishermen there to catch it. Yet there was hardly any chance of their being able to catch it, because they had no harbours. The whole matter was really quite clear. He had often heard it stated that this was rather against the Irish character, because there were these fish and the fishermen did not catch them. If, however, anyone went to the West Coast he would almost wonder that so much fish was caught, in the circumstances, as actually was caught. He did not know any sight in the United Kingdom that was more magnificent than an Atlantic storm at Kilkee; but one was surprised to find that any fishing was possible with the chance of such storms coming on suddenly without any good harbours to which the boats could run. Until the fishermen got big boats there would not be much fishing there. One fact was very encouraging as respects the fishermen, and that was the great success of the Reproductive Fund. This success, he thought, reflected great credit on these poor inhabitants of Ireland. It was an extraordinary fact that almost every penny advanced by that fund had been repaid. The circumstance showed a great deal of industry, as well as a great deal of honesty, as the fishermen must have worked hard to be able to fulfil their engagements. The question arose as to how these harbours were to be made. His hon. Friend the Member for Waterford (Mr. Blake) said there was an Irish Fund which might supply the money required. He did not think the House could resist the appeal to make use of that fund. There might, perhaps, be some doubt as to whether there was such a fund disposable, although he himself believed there was a surplus left. As to the harbours themselves, he admitted that the history of the Irish fisheries, and the conduct of the rest of the Kingdom towards Ireland in the matter, made the claim more than usually strong; but he did not think it would be to the advantage of Ireland to introduce the principle of gifts from the Treasury for this purpose to any large extent. On the other hand, for fisheries as well as for any other development of Irish resources, he should be inclined to lend liberally, and to lend at a low rate of interest, whenever security could be obtained. In the present case, however, it was asked that the expense might be taken from a fund, that might be said really to belong to Ireland; but unless some considerable sums of money were spent there was no chance of anything satisfactory being done. The small sums that were given year by year by the Treasury had not the remotest chance of relieving the districts. He did not think the Treasury ought to be blamed for it, because, after all, they were but the custodians of the chest of the taxpayers of the country. He did not pledge himself to every detail of the Bill, although he confessed it seemed to be carefully drawn up ; but he hoped the House would pass the second reading.

MR. ARTHUR ARNOLD said, that upon the Harbours Commission, of which he was a Member, an Inspector, the best-informed official who came before them, gave evidence to the effect that he had been for 38 years constantly engaged in supervising the fishermen, especially on the West Coast of Ireland ; that there were more than 21,000 men on the register, representing a population much exceeding 100,000 persons ; and that during those 38 years there had not been a single conviction for crime amongst them. That was a fact of the most remarkable kind with regard to the people themselves. The Inspector strongly advocated the construction of harbours ; and the most striking fact with reference to the harbour accommodation that came before the Committee related to the place on the Shannon,

—Carrigaholt—which had been mentioned that day. With respect to it, the Inspector said that if there were a harbour made there, at a cost of £10,000, the increase in the value of the fish taken would be £100,000 a-year. He (Mr. Arnold) asked the Inspector whether the people would not be willing to find security for a charge of £400 a-year to meet the cost; but he answered that he thought it would be impossible, as there was no town population where the harbour was required, upon whose rates the loan could be charged. He made it plain to the Committee, however, that it would be very desirable that fishing boats should be chargeable with dues in the harbours to be constructed. He showed that if harbours were constructed, it was probable that boats of large size and safer build would make use of them, and that the dues would very easily recoup the expenditure. The impression he (Mr. Arnold) had derived from the evidence given before the Committee had set him strongly against grants of public money or loans, which were no better than grants, because there was no expectation of paying them. But the Bill simply asked that the Irish people should deal with a portion of the Church Surplus by the agency of persons, who should determine whether the money should be advanced either by grant or by loan. Under these circumstances, the Bill ought to receive the support of the House.

Sir EARDLEY WILMOT said, that in the last Parliament he appealed to the late Prime Minister to utilize the great majority he had at his command to assist, in some measure, the material resources of Ireland. Unfortunately, that had not been done; and here they were, at this day, considering a measure which, he thought, would render great assistance to the people of that country. He desired to bear testimony to the thrift and industry of the Irish fishing population, having heard those qualities highly spoken of by men who had had personal experience of them. The Irish fishermen, on the evidence of Mr. Brady, were persons devoid of criminal propensities; and the Duke of Edinburgh had stated that, in examining the Naval Reserves of the Second Class, he found no more well-conducted men than those who had been engaged in the Irish sea-fishing. Unfortunately, the boats and gear of these fishermen were insufficient to enable them to reap the abundant harvest of fish which was always to be obtained off the Coast of Ireland; and it was the duty of the House to see that they were assisted in that direction. The necessity for harbours was also very great; and he was sure that if the fishermen of Ireland were properly encouraged they would add largely to the national wealth. He agreed that the Irish Church Surplus could not be better applied than in increasing the comforts and well-being of the Irish people, and in developing the resources of the country; and for that reason he should cordially support the Bill.

Mr. COURTNEY said, he felt great difficulty in saying a word which would at all disturb the unanimity of sentiment which had hitherto prevailed in this discussion, especially when he considered the nature of the suggestion which formed the main part of the Bill. The Bill practically proposed that the sum of £250,000, forming part of the Irish Church Surplus, should be handed over to a mixed body of Commissioners, and distributed by them, partly by grants and partly by loans, in improving the harbours round the Coast of Ireland. It was said the Fund in question was an Irish Fund, and the application was supported with unanimity as far as they had heard; and they had, besides, received the very valuable support of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). The hon. and gallant Member for Clare (The O'Gorman Mahon) said it was a humiliation that Irishmen should come here to ask the allocation of an Irish Fund to a strictly Irish purpose. He (Mr. Courtney) hoped he should say nothing to intensify that feeling of humiliation; and he should, as far as possible, approach the subject as if he were an Irishman. Speaking from that point of view, he hoped to be able to submit to the House reasons which would convince them that it would be imprudent and inexpedient to assent to the second reading of the Bill; and he hoped, further, to be able to persuade the hon. Member for Waterford (Mr. Blake)—whose real and self-denying efforts in this cause must have excited the admiration of all—that it would be expedient that the Bill should be withdrawn. [Mr. Warton: Oh!] Perhaps the hon. and learned Member for Bridport would listen to what he had to say. The hon. Member for Waterford said there could be no doubt whatever as to the capacity of the Irish Church Surplus Fund to meet the proposed grant of £250,000. Now, he (Mr. Courtney) was ready to admit that if the Fund could be maintained against attacks made upon it from time to time for appropriations, it would be sufficient to make such a grant; although the sources of supply were not so absolutely secure as they could wish. The revenue derived, and which would be necessary to support the charges already incurred, was not absolutely unassailable; and although he hoped they would keep intact those sources which fed the Fund, and on the maintenance of which alone the existing charges could be defrayed, yet he must own they would have some difficulty in repelling the demands made for the diminution of the sources of supply. If it were quite clear they had this money in hand, it became a necessary preparatory condition that they should take into account what other demands might be made upon the fund, and compare the relative importance of the demands so made. For, after all, this was only a limited demand, made in the interests of a particular class—the fishermen of the maritime counties of Ireland. They ought, then, to consider this claim in relation to other demands—to the perfectly natural demand for a portion of the Surplus for the development of intermediate education; to the agitation for an increase of their stipends and pensions which was now raised by the teachers of the national schools; to the demand for assistance for the development of railways in the West of Ireland; to that for the extension of arterial drainage in Ireland; and other claims which were continually coming upon the Treasury. They were bound to look into these matters before they could proceed to give this £250,000. The hon. Member for Waterford might say that this line of argument encouraged him to persevere, lest, in the general scramble for allocations of the Fund, he should be left out; but he (Mr. Courtney) would suggest that the Representatives of Ireland should meet together and discuss this question, and come to a determination among themselves as to which of these claims ought to have precedence and preference. There was, moreover, no direction or instruction given in the Bill as to the way in which the grant should be distributed. There had been no attempt made to fix the principles on which those harbours should be assisted, if assistance was in itself desirable or necessary. The whole thing was thrown haphazard into the hands of the Commissioners to do just what they liked. To turn, however, to what he thought was a conclusive reason why this allocation should not be conceded, they had heard the speech of the hon. Member for Berwickshire (Mr. Marjoribanks), Chairman of the Harbours Committee of the House, now sitting, and the speech of the hon. Member for Salford (Mr. Arthur Arnold), a Member of the same Committee; and, while both hon. Gentlemen expressed their intention of supporting the Bill, they had, in stating their experience of that Committee, in his opinion given very cogent reasons why the Bill should not, at all events at present, be supported. He should have thought that, before consenting to this grant, it would be necessary, first, to complete the work of the Select Committee on Harbours, to ascertain the present condition of the harbours of the country, what were their several needs, and in what way they could be best improved. What they wanted was to develop the deep sea fisheries of Ireland; and, in order to do that, they must have thoroughly good boats and harbours to run into at all states of the tide. That was a matter which required more consideration than he feared they could give to it on the floor of the House. But the hon. Member for Berwickshire had said that if they were to take this £250,000 and distribute it over the 60 or 70 harbours of Ireland, they would not succeed in making one good harbour—all that would be done would be simply to provide landings and piers useful when the tide was at its height.

Mr. MARJORIBANKS said, he certainly did not state that the spending of £250,000 would not result in the construction of one good harbour. What he said was that he should prefer to see the money spent on 15 or 20 harbours, because he did not think 70 good jobs could be made out of £250,000.

Mr. COURTNEY said, that was precisely what he understood, and he was endeavouring to reproduce it. The design of this Bill was to spend this money among 70 harbours. [*Cries of* "No!"]

Mr. BLAKE observed, that the 70 piers and harbours had been already recommended; and it was for the mixed Commission to say what harbours should be selected for construction, enlargement, and improvement.

Mr. COURTNEY said, that these 70 harbours had been recommended by the Fishery Inspectors, who would be the working Members of this mixed Commission; but, at all events, he submitted that they ought, first of all, to complete the work which the Committee on Harbours had in hand before they handed over this sum of money to a Commission uninstructed, without knowledge, and without ascertaining the principles of distribution. As a mere matter of business, if an Irish Assembly were going to give £250,000, it would prescribe conditions upon which that Committee should distribute the money. The particular conditions under which this money would be distributed were in dispute. They would have to prescribe what style of harbours they were going to build, the kind of boats they were going to provide, and the kind of fisheries they were going to encourage.

Mr. O'CONNOR POWER: We will put that in the Bill.

Mr. COURTNEY said, they did not put these things in the Bill; but they would have to ascertain them, and settle their principle of action, before they created an Executive Commission, and gave them the money to apply it as they pleased. The Select Committee now sitting would give the House their conclusions, which would, no doubt, be disposed to carry out their recommendations. The hon. Member for the City of Cork (Mr. Parnell) and the hon. and learned Member for Mayo (Mr. O'Connor Power) knew, from their experience of Select Committees, that the House had allowed the carrying out of the recommendations of Select Committees, when they had ascertained the modes of action most desirable to adopt. He was surprised at the speech of the hon. Member for Salford (Mr. Arthur Arnold); and, for his own part, he had attempted to look at this question as an Irish Member. ["Oh!"] He appealed to hon. Members opposite whether he had not done so? Looking at this question as one of themselves, he was convinced that it would be imprudent to pass this Bill. He might discuss it, if they wished to do so, in another way; and he might remind the House that there was that underlying fundamental question, whether it was desirable to make such grants at all? It would be very foolish if he attempted to conceal his own view, since, as he might remind the House, on a former occasion, when he was in a position of more freedom and less responsibility, as hon. Gentlemen opposite well knew, he had expressed his opinions as to the inexpediency of making grants. What he had said were his own opinions; but he should mislead the House if he stated they were the opinions of all in authority. They desired to approach the question with open minds; but they wanted to be instructed, as the Select Committee now sitting would instruct them, as to the way this problem should be dealt with. At present there was merely a haphazard proposal; and the House wanted information and instruction from the labours of the Select Committee. He certainly thought it would be most injudicious to pass the Bill; and he, therefore, hoped the hon. Member for Waterford would not press the second reading.

Mr. GIBSON said, he thought the Secretary to the Treasury must be of a very sanguine mind if he had a vestige of hope that the hon. Member for Waterford would withdraw his Bill. When the hon. Gentleman endeavoured to speak as an Irishman, he set a very high ideal before him, and his small measure of success was not to be wondered at, for it was an ideal that was not to be achieved in a moment. This was not a question of yesterday or to-day; but the history of the country, its geographical position, and the whole circumstances surrounding it showed that the question of dealing with the fisheries was one of the first moment. These fisheries were of great value, and might be made of still greater value; and it was a misfortune that the people who got the least value out of them were the Irish people themselves. It was therefore important that any fair, well-considered, and prudent measure on the subject should receive full attention. The present measure was not a large or ambitious measure. No one in the country was entitled to speak upon the subject with greater authority than his hon. Friend, who had devoted much attention to it, and had, moreover, for some years held an important office in connection with the Irish fisheries. The Secretary to the Treasury had advanced no arguments against the substance of this Bill, the main objects of which were simply to create a Fishery Board of Commissioners, to be selected by the Irish Executive—that was to say, upon the authority of the Lord Lieutenant; and this Board was to decide upon the best mode of administering the objects of the Bill. The Bill did not propose to lay down what the Commissioners were to do. If the Bill was too wide and elastic in its terms, that was a matter which might be dealt with in Committee. Then the Commissioners so appointed by the Lord Lieutenant required the sanction of the Irish Executive to the works they proposed to carry out. There was, therefore, a check upon the appointments of the Commissioners, and also a check upon the mode in which the works were to be carried out. The Bill did not propose to give a single shilling by way of subvention to any person in Ireland; but merely sought to create a fund to enable piers and harbours to be provided for fishermen. Upon the question of finances, there was a Surplus arising from the Irish Church Fund, after satisfying the claims under the Arrears Act, of about £1,200,000; and a portion of this Surplus it was proposed to apply for the purposes of this Bill. If the Government were not prepared to consent to the application of this Surplus Fund for the purpose, the people of Ireland were quite willing to take the money from Imperial funds, if that would better suit the views of the Government. This, however, was a matter of detail, which did not interfere with the principle of the Bill. He felt sure the Chief Secretary would do his best to give a favourable consideration to every part of the Bill, reserving the right to introduce in Committee such Amendments as he thought necessary in order to make the Bill workable. He hoped the Bill would be read a second time, even if it were only for the purpose of expressing a distinct declaration of opinion that every encouragement ought to be given to the Irish fisheries; and afterwards they could avail themselves of the lights and experience that might be given to them by the Report of the Committee now sitting on Harbours.

MR. WILLIAMSON said, he entirely approved of the scope and principles of the Bill, and hoped the House would assent to its second reading. He feared our statesmen had not begun to realize the national importance of this question of providing shelter for those hardy men who supplied us with food, and who might form the basis of our Naval Reserve. In any aspect they liked to take of this question, he was sure it was one of national importance; and he was surprised to hear the Secretary to the Treasury—and he feared that speech was an illustration of what he had just said—that our statesmen had not yet begun to realize the national importance of the question. He did not say this Bill was perfect. There might be some clauses capable of amendment; and if hon. Members would choose to extend the Proviso as to the financial part of the Bill, he was ready, for one, to aid them in that. If the Surplus Fund was not sufficient, he, for one, would be ready to vote for the payment of the necessary money out of the Consolidated Fund. He hoped the Government would waive their opposition to the Bill.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, he would not intrude long in the discussion; but as he was largely responsible for advising the House in a matter of this kind, he felt it was his duty to say a few words. It appeared to him that the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had placed the question, to a great extent, upon a fair footing. He had practically said he would be happy if he could take this money from the Consolidated Fund; but he was conscious that that was impossible; and he might have gone on to finish his sentence by the remark that that would not be in the power of the House on the present occasion. If this Bill proposed to take £250,000 from the Consolidaled Funds for the purpose of the construction of harbours, it would not be possible for the House to pass the second reading of this Bill without the previous consent of the Crown. Therefore, he thought the right hon. and learned Gentleman had put the case on its proper footing when he said that this was simply a proposal to deal in a certain way with the Surplus of the Irish Church Funds, provided that Surplus existed; and even this he qualified by saying he thought the House, in passing the second reading, would be merely expressing the general opinion that, assuming the works were required and fund sufficient, this was not an unreasonable measure. He (Mr. Childers) was able to go somewhat further than his hon. Friend (Mr. Courtney). He had always been in favour of some special form of assistance to Irish fisheries, and had expressed that opinion in his days of freedom from Office. While, therefore, he entirely concurred in the objections to the details of this Bill which his hon. Friend had so forcibly stated, he was able to say that, provided the Irish Church Fund would bear the proposed charge, the sites for harbours to be assisted were recommended by the Committee now sitting, and in each case approved by the Government. He thought the Government ought not, on the question of principle, to object to the second reading of the Bill, but that it was their duty to examine the clauses and amend them before the next stage. Upon that understanding he would, on behalf of the Government, assent to the second reading. There were details in the Bill as to the constitution of the managing body, the condition of grants and advances, and other matters, with some of which he could not agree, and others which he could not understand; upon these and other questions he must reserve his right of action in Committee.

Mr. PARNELL said, he was glad that the right hon. Gentleman, with his usual good feeling on Irish questions, had assented to the second reading of the Bill, reserving his right of discussing the details in Committee. The Irish Members were quite as desirous as the Secretary to the Treasury that money coming from the Irish Church Fund should be properly spent, and not frittered away in little jobs on the Coast. They thought the Lord Lieutenant would be able to choose Commissioners from amongst the Inspectors of Irish Fisheries, who would be able to point out the harbours that should be dealt with. He would not detain the House further than to express, on behalf of himself and the other Irish Members, his great pleasure at the attitude which the Government had taken on this question.

Question put, and *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

VICE-ROYALTY (IRELAND) BILL.

(*Mr. Justin M'Carthy, Mr. Richard Power, Mr. O'Kelly, Mr. Kenny.*)

[BILL 37.] SECOND READING.

Order for Second Reading read.

Mr. JUSTIN M'CARTHY, in moving that the Bill be now read a second time, said, the Bill had for its purpose the abolition of the Office of Lord Lieutenant of Ireland. The Bill consisted really of but three clauses—the first declaring that on and after January 1, 1884, the Office should be abolished; the second, that the powers of the Office should be transferred to a Secretary of State; and the third, that such Secretary of State should be a Member of the House, representing an Irish constituency. If the House was not prepared to accept the latter proposition, he would not press it in Committee, and would merely ask them to affirm the principle that the Office should be abolished. The House was well aware that this was not the first time a proposition of the kind had been made. A proposal of the same nature had been introduced, some 30 odd years ago, by the late Earl Russell, then Lord John Russell, in the House of Commons. That proposal had the same purpose in view, but was of a more complicated character. It proposed to make arrangements to take effect, provided Her Majesty in Council abolished the Office of Lord Lieutenant; but it did not propose to abolish the Office at a stroke. That measure was carried to a second reading with a very large majority in its favour; but was, nevertheless, not carried beyond that stage. The reason of its not getting beyond a second reading was partly owing to the fact that Government found foreign questions attracting too much attention; but chiefly on account of the very doubtful support accorded to it by the Irish Members of that day. Many Irish Members voted against the measure. The speaking and voting which took place in that debate formed a curiously interesting study in Irish politics. He might call the attention of the House to the fact that the late Earl Russell made a somewhat remarkable statement on that occasion. He said—

> "I do not think it would be desirable that Ireland, when deprived of its Lord Lieutenant, should never have an opportunity of seeing its Sovereign; and I have great pleasure in stating . . . . that it is Her Majesty's gracious intention from time to time to pay a visit to Ireland, and to have the residence in the Phœnix Park maintained for Her Majesty."—(3 *Hansard*, [111] 180.)

He would not take much notice of that statement, except to say that the promise was never carried out; and the opportunity was lost for ever, which might then, perhaps, have been turned to good account. He should have supposed that it was only natural that in the City of Dublin there should be an interest in keeping up the Viceroyalty, in consequence of the costly pageantry which was kept up therewith; and yet, on the occasion of Lord John Russell's proposal, only 10,000 of the inhabitants of the City, headed by the Lord Mayor, were found to sign a Petition against the Bill. Many, if not most, of the Irish Members opposed the measure, on the ground that it was a first step towards the withdrawal of the Law Courts and the whole system of Judicature from Dublin to Westminster. In vain did Ministers assure them that no such thing was contemplated. The fear had become fixed in their minds, and they would not listen to the proposal. It was a curious fact that Mr. Maurice O'Connell, eldest son of the great O'Connell, voted and spoke against the adoption of the Bill. Mr. Maurice O'Connell, however, explained that he did not regard himself as especially an Irish Member, but as a Member of the Imperial Parliament. He said he did not at all feel bound, even in this matter, to look first of all to the interests of Ireland—he was bound to consider the interests of the whole Empire; and the feelings of English and Scotch Members counted for as much to him in Irish policy as the opinion of the Irish Members. He even confessed that if he were to regard the matter from the point of view of a Repealer he could not ask a greater boon than the abolition of the Viceroyalty. Therefore, while Mr. Maurice O'Connell, as a Repealer—and it was only as a Repealer that he had been elected—was in favour of the measure, Mr. Maurice O'Connell, as a Member of the Imperial Parliament, was against it. That was not the kind of argument that was likely to carry conviction to the minds of the Irish Members now. The nephew of the great tribune, on the other hand, voted and spoke in favour of the measure; but it was hard to decide the patriotic character of the Irish Member of that period by the way he voted, for men of honesty and national feeling voted for and against the Bill. For example, he found that Mr. Fagan, Member for Cork, a man of great integrity and true national sentiment, voted for the measure; while Members like his hon. and gallant Friend below him (The O'Gorman Mahon) voted against it. The late Judge Keogh voted for it; but of his support he (Mr. Justin M'Carthy) should not, as an Irishman, feel specially proud. Mr. Sheil spoke and voted in favour of the measure. In the debate Mr. Sheil replied to the speech of the hon. Member for Finsbury (Mr. W. M. Torrens), whom he (Mr. Justin M'Carthy) was sorry not to see in his place to-day, and who was then Member for Dundalk. Mr. Sheil's opening sentence was worth quoting. He said—

> "The fervid nationality of my hon. Friend the Member for Dundalk has overcome his habitual good sense."—(*Ibid.*, 1042.)

There was very little chance of the "fervid nationality" of the hon. Member for Finsbury overcoming anything now. English Members advanced stronger arguments in support of the Bill than the Irish Members. Mr. Bernal Osborne asked why should the shadow be expected to remain when the substance was gone? Why should the Irish Viceroyalty flourish when the Irish Parliament had ceased to exist? And he also said he regarded Viceroyalty as the proof and emblem of national serfdom, and pointed to the fact that very few Irishmen had ever held the Office. The Motion for the second reading was then carried, as he had stated; but the Bill was allowed to drop. A second attempt was made, eight years after, by the late Mr. Roebuck to have a Motion carried in these words—

> "In the opinion of this House, the Office of Lord Lieutenant of Ireland ought to be abolished, and an Office of Secretary of State for Ireland at once created."—(*Ibid.*, [149] 712.)

That Motion was defeated by a large majority, and from that time to this no serious attempt was made to get rid of the Office. What he now proposed to do, certainly at no unreasonable length, was to show that the Office did no positive good either to England or Ireland, but that it did a great deal of positive and negative harm; that it did not, as many supposed, unite the people of Ireland with those of England, or cause the authority of the Crown to be more respected; but rather tended to bring it into something approaching disrespect. He hoped to show that where the authority was exercised much it tended to make rather ridiculous that which it ought to elevate in public estimation; and he hoped to persuade some of his own countrymen that the Office in nowise tended to maintain the national spirit, but rather to degrade, humiliate, and extinguish that national sentiment. If they reviewed the history of the Irish Viceroys they would find them to have been either men who did nothing or men whose energy resulted in evil effects to England and Ireland. It was a remarkable fact that after the Reign of Elizabeth, and during a certain portion of the Reign of James I., there sprang up in Ireland a sudden and wide-spread growth of prosperity which then promised to be lasting. He would trouble the House with a sentence or two descriptive of the state of Ireland at that period. Clarendon, in the first book of his history, said of Ireland before the Civil War—

> "Ireland, which had been a sponge to draw and a gulf to swallow all that could be spared and all that could be got from England, merely to keep the reputation of a Kingdom, attained to that good degree of husbandry and government that it not only subsisted of itself and gave this Kingdom all that it might have expected from it, but really increased the Revenue of the Crown £40,000 or £50,000 a-year, besides being of considerable advantage to the people by the traffic and trade from thence. Arts and sciences were fruitfully planted there, and the whole nation was beginning to be so civilized that it was a jewel of great lustre in the Royal diadem."

Were there any other years of Irish history, excepting, perhaps, a few years before the Union, when such a description would apply? But when the Civil War broke out, Ireland became the victim of English quarrels. It chose to remain loyal to a King who, perhaps, deserved little loyalty. The Irish people had been long characterized by a passion for Royalty which he should almost call servility, and which must have taken great pains on the parts of successive Sovereigns to root out. Then came the days of Cromwell, and from that period they might trace the decline of Ireland. It seemed to him that since that period the Irish officials were either incapable or worthless men, doing neither good nor harm; or men who, when they moved at all, produced a baleful effect upon Ireland and England. There were, however, two or three honourable—he should even say illustrious—examples. Take one man — Lord Chesterfield — who was sent to Ireland on the most inauspicious occasion. Chesterfield saw, with the instinct of genius, that Ireland was a country which must be governed according to Irish ideas, or it could never be governed at all; and to that task he set himself in a way which no Irish official ever did before or since. He could not repeal the Penal Laws; but he took good care that they were never put in operation. He took care that whatever discontent there was should be allayed and not embittered. Needless to say, the old ascendency class assailed him with all the energy and bigotry which they could command, with the view of bringing him into disrepute at the Royal Court. He established so much tranquillity and contentment in Ireland that at this very time, instead of asking for more troops for Ireland, he sent four regiments away to assist the Royal troops against the Pretender in Scotland. He was allowed to have his way while the danger of the rebellion lasted; but at the very moment the danger was over the counsels of the ascendency Party in England prevailed, and Chesterfield was recalled. He walked to the place of embarkment surrounded by a cheering populace, who asked him to return as soon as possible. He never at any time seemed to have required police protection. His case was an instance of how a sincere and high-minded man, anxious to do good for the country, was sacrificed to the cabals of English Parties. The same observation might apply to the case of Lord Fitzwilliam. When Lord Fitzwilliam was recalled the Catholics of Ireland saw that their hopes were gone, and the result was the outbreak of 1798. After that came the Union and other painful events with which they were all so familiar. These were striking and remarkable instances in which Viceroys were liable to be recalled, and the hopes of the country sacrificed to some sudden move in partizan policy in England. He did not think he could mention any other really good Viceroys. The Viceroys never had the power given to them of carrying out anything in the shape of reform, even if they had been inclined to do so. Lord Carlisle was popular, to a certain extent, because he gave good dances and danced well; but in Ireland they wanted a statesman, and not a dancing master. Lord Clarendon adopted the means of governing Ireland by a scurrilous newspaper published in Dublin at the time—a paper the like of which he did not think at present existed in any part of the civilized world. It was infamous in the blackest sense of the word. It made abominable charges against men and women, and levied black mail from them if they were weak enough to yield. This paper was hired to write up law and order and abuse the enemies of the Crown — it was converted into a sort of Government organ, paid for by the Crown. This arrangement continued until the proprietor of the paper demanded too much money, and the matter was taken into a Court of Law, where the Viceroy was obliged to admit that he had hired the proprietor of this paper to make accusations against respectable and honourable men in Dublin. It would be something if they had a Secretary of State governing Ireland whom they could see sitting on the Bench opposite, and whom Irish Members could examine as to his policy, and who could come under the censure of the House if he did wrong. Some years ago he had heard the present Prime Minister explain, in a lecture, the evil caused in our Colonies by the practice which governors followed by surrounding themselves with a "British Party." The result of the practice was that the Governing Body was merely suspected of being hostile to the Colonists. Now, that was precisely the effect of the Viceregal system in Ireland. The Viceroy in Ireland was supposed to confer titles and distribute rewards for something or other. He gave away offices, and invited the wives and daughters of a certain class in Ireland to the Castle; and in this way he was supposed to impress on them the stamp of respectability and loyalty. The result of that was, undoubtedly, to get round Dublin Castle or the Viceregal Lodge a body of supporters whom the great body of the Irish people regarded as hostile to the national sentiments; and anyone could see that the longer this continued the more and more alien must the Viceroyalty become to the feelings of the Irish people. They had a striking illustration not long since of how the Viceroy and those around him formed one little State and the people of Ireland another. Last autumn the Centenary of O'Connell was celebrated, and on that occasion an Exhibition of Irish manufactures and products was opened. He had the pleasure of being in Dublin on that occasion, and he never saw a more striking spectacle. If ever there was a national ceremonial politically, industrially, or even sentimentally, if they wished, it was the ceremonial in question. It represented the whole interests of the Irish nation. Where, then, was the Irish Viceroy? The position of the Viceroy on that occasion might well be likened to the position of an Austrian commandant in a Venetian town in former days. He sat apart in the Castle, or the Viceregal Lodge, practically alienated from everything connected with the interests of the Irish people. He (Mr. Justin M'Carthy) was very much struck by the marvellous change in the position of affairs. The people kept order for themselves. They needed no assistance, and if the Viceroy did not appear himself, he certainly did not trouble the people much with his Police Force. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket) might suggest that the patronage of the Viceroy had been rejected. He (Mr. Justin M'Carthy) did not care if the patronage of the authorities was rejected, because that only showed how little sympathy there was between the people and the official who was placed over them. If in another country the patronage of the Government were rejected by the people on an occasion of that kind, what would be thought? Why, that between the people and their rulers there was an almost impassable gulf. The people of Ireland had nothing to do with the Viceroy. As far as they were concerned, they had shaken the whole traditions of the Office away from them—they did not want to go to his dances or dinners. Even when the Office of Viceroy did positively neither good nor harm, it stood in the way of good that might be done, thus negatively doing harm. Socially it did harm, because it created in Dublin a class of "flunkies," and encouraged sycophancy. This kind of social demoralizing influence produced some political evil by separating still farther class from class, and at last driving the people to that degree of antagonism that they were inclined to regard anyone who had friendly relations with the Viceregal Party as necessarily inimical to all the national aspirations. He hoped that the House would now accept the policy approved by Lord John Russell. Let the House say, as had been said before—"Abolish this mock dignity — this sham rulership—and give us a Secretary of State, who will be answerable to the House of Commons." If the right hon. Gentleman would rise in his place and say that Her Majesty's Ministers did think it worth while to make this change at a time like the present, because they believed much greater changes were necessarily near at hand, and that they hoped before long to be able to say that Ireland was entitled to a measure of self-government, he would not press his Bill to a Division. As, however, he felt he could hardly expect any such offer as that to be made, or any such argument to be used, he would have to press his Motion for the second reading to a Division, and endeavour to get the sense of the House in its favour once more. What he asked the House to do was to put an end to a wretched, decaying, and demoralizing system. The system, as it stood, was only a delusion to the English Members, a mockery to the Members for Ireland, and a snare to the simple-minded noblemen who seemed occasionally to fancy that by a few Court dinners they could charm away Connemara distress, and that by patronizing a few dozen shopkeepers in Dublin they were conciliating the hearts of the nation. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Justin M'Carthy.*)

Mr. J. N. RICHARDSON, in moving that the Bill be read a second time that day three months, said, he had listened with very great interest to the speech of his hon. Friend—he had listened to him with the interest which always accompanied any remarks of his in that House on historical subjects. He hoped his hon. Friend would believe that he was just as sincerely desirous of seeing legislation for the benefit of their common country as he himself was. This was a subject on which there was room for very diverse opinions; and though one might well be liable in after times to change one's mind upon it, at the present moment he must say that his feelings upon the matter were so strong that he could not agree with the proposal now before the House. As to the occurrence in Dublin in the autumn of last year, he could not follow his hon. Friend into the particulars, as he was not familiar with the circumstances; but he would just observe to the House that the Viceroy in Ireland and the Chief Secretary for Ireland and the Secretary of State as mentioned in the Bill were very much in the position of Ulster Members at times, for they represented to a certain extent two wings. He could quite understand the displeasure with which a certain portion of the Irish community would regard the refusal of a Viceroy to attend a celebration such as that mentioned by his hon. Friend; but it was well to look at the other side of the question. If the Viceroy had been asked to go up to the North of Ireland and to attend the celebration at Belfast in commemoration of some persons with whom a section of the people in the North sympathized very largely, he would no doubt have refused, very properly, because otherwise he would be outraging the sentiments of a large number of people over whom he was supposed to rule in the South of Ireland. Thus he could quite believe that a somewhat similar feeling would prevent the Viceroy from taking part in a celebration which would outrage the feelings of persons in the North of Ireland. Of course, he only mentioned this for what it was worth; but it seemed to him that the system of Party government which so entirely appeared to suit the populace of England and Scotland in many ways did not suit the populace of a very large part of Ireland. If a grievance existed in Great Britain a party rose up willing to remedy the grievance, and when it was remedied those who were in favour of the remedial legislation acquired a certain loyalty and gratitude to the Party which carried it. On the contrary, in a considerable portion of Ireland—he regretted this, but no one in the House could hide it from himself—no feeling of gratitude was ever aroused by the efforts of either of the two great Parties of the House. [" Hear, hear! "] The hon. Member for Waterford County (Mr. Blake) cheered that remark, and he apprehended he had accurately expressed his sentiments. There was certainly a tendency in a considerable portion of Ireland to regard the discussions—the cold-blooded discussions—which took place in that House about Treasury matters, about money matters, about official routine, as a general unwillingness on the part of Parliament to grant certain concessions to Ireland. He did not agree with that sentiment. He believed that both Parties in the State, and certainly the Liberal Party, were extremely willing to meet in every way they could the views and the wishes of the Irish people. He felt very strongly, however, that they might carry a Land Bill and amend it in certain directions; and he believed that in certain directions that Parliament or another would amend it until it became what the Prime Minister and the Liberal Party had intended it to be in 1881. Though they might carry a large scheme of peasant proprietary, though the House should grant, as he hoped, a large scheme of county government in Ireland, a certain portion of warm-hearted fellow-countrymen would regard these measures not as granted by an English Party, but as wrung from the British Parliament as a whole—despite all this concession, all this legislation, a hostile feeling, he feared, would exist towards this Parliament. It therefore seemed to him to be very desirable that they should maintain in Ireland some power or some individual above all Party. If his hon. Friend had proposed in his Bill a scheme by which the Lord Lieutenant would not be a direct Representative of a Party, as he was, and could not fail to be, as well as a Representative of the Queen—if he had proposed that the Lord Lieutenant should not necessarily go out of Office with the Ministry which had appointed him—he might have been able to support his Bill. At present they had, as they had had occasionally in the past, a good Viceroy; and he could not help regretting that when such Viceroys went to Ireland, and became acquainted with the feelings of the people, they could not remain longer than the Ministry which sent them there. He could not help thinking that unless the Island was to be visited more frequently than it had been by a Family of which he spoke with the greatest diffidence and intense respect—unless they could see more of that august Family in Ireland, it would be a very serious thing to do away with the Office which represented that Family. He could bear testimony to the benefit which a Viceregal visit conferred. He did not speak in the interests of the residents of Dublin who were alluded to by the Mover of the Bill, and in whose interests he believed the hon. Gentleman said the Viceroyalty was kept up; he spoke on behalf of the community at large. Newry, he believed, had been visited by three Viceroys. By the Duke of Berwick, who burnt it, in 1690, by Lord Spencer in 1870 or 1871, and by the Duke of Marlborough in 1879 or 1880; and he should never have believed, unless he had seen it in the course of one of those visits, how beneficial such an event could be in smoothing down asperiites and removing the sense of old grievances. He could not but think that a Viceroy with the courtesy of Lord Chesterfield or of Lord Spencer would be a great benefactor to Ireland. He believed that the Office of Viceroy might be made extremely beneficial to the country if it were made permanent, as he had suggested, and if the holder would make himself personally familiar with the various districts. He begged, in conclusion, to move the Amendment of which he had given Notice.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. J. N. Richardson.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR EARDLEY WILMOT said, he had always been in favour of the abolition of the Viceroy's Office; but he could not support the present Bill. In the first place, it was an anomaly in our Constitution that the Administrative and

Executive power should be in the same person; and, in the second place, it was also an anomaly that the Executive should be the Representative of any Party. The Lord Lieutenant went to Ireland as a Party man, he governed as a Party man, and as a Party man he quitted the country. His opinion, however, was that, without reference to politics, there should always be someone in Ireland to represent the Sovereign who was of no political Party, and who should maintain a State worthy of that Sovereign. Besides, the nomination of the Viceroy was always accompanied by the appointment of men who were not natives of the country, Englishmen being almost invariably chosen to fill the chief Offices in the Administration. Irishmen desired that the Office of Lord Lieutenant should, whenever it was possible, be filled by an Irishman; and he should be glad to see, much as he respected the present Chief Secretary, his position filled by a person more conversant with the requirements of Ireland. Then, again, the Lord Lieutenant's stay in Ireland was, as a rule, far too short to admit of his making himself acquainted with the wants of the country. In former times, the Lord Deputy, as he was then called, remained many years in Ireland. He did not go out on every change of Administration. They had heard from the hon. Member for Longford (Mr. Justin M'Carthy) that Lord John Russell had indicated in 1850 that a change of the nature now desired was at that time in the mind of Her Majesty's Government; but the change had never been made, and it could not really be said that the administration of Ireland had improved since 1850. Still, it was impossible, he admitted, that the administration of Ireland could have been better carried out than it was being carried out by Lord Spencer; and, therefore, looking at the surrounding circumstances, he was obliged to ask himself whether this was really the time at which such a measure as the present Bill ought to be introduced. He could not think that the moment was appropriate; but he hoped that at some date, not too distant, they might witness such a change as that which Mr. Roebuck, when he brought the matter before Parliament, had so strongly urged.

Mr. PLUNKET remarked, that it must have struck the House as rather curious that, of the two Irish Bills discussed that afternoon, one professed to confer very large powers on the Viceroy, by entrusting him with the direction of £250,000 for the assistance of Irish fisheries; while the other, introduced by the same Party, was intended to abolish his Office altogether. The seeming inconsistency might, perhaps, be susceptible of explanation; but he, for one, could not explain it. Arguments had, from time to time, been undoubtedly advanced in favour of the present proposal; but the hon. Member who had introduced the Bill had brought forward none at all of a substantial character. The long review of the history of the earlier Viceroys, with which the hon. Member had begun his speech, was interesting enough; but it had little or no connection with the Bill before the House, and might be passed by as irrelevant. The hon. Member had said that Viceroys had often been very unpopular, and had called attention to the fact that the Exhibition in Dublin last year was not attended by the Lord Lieutenant. But he had frequently seen, and hoped soon to see again, Viceroys heartily cheered by Dublin crowds; and the truth as to the Exhibition last year was, that it was opened in circumstances which compelled the absence of loyal men. Nor was it the fact that the Viceregal Court merely promoted "flunkeyism" among the Dublin shopkeepers. The Court in Ireland was precisely like that in London; but, of course, on a smaller scale. Its *Levées* and other entertainments were equally representative, and it could not be fairly described as the Court of a foreigner with an *entourage* of foreigners. The only contention of the hon. Member which rose to the dignity of an argument was that it would be advisable to have in the House of Commons a Minister responsible for the affairs of Ireland, whose actions could be challenged in the House itself. But, surely, this state of things existed already. The responsible Minister was there, on the Treasury Bench; and he put it to Irish Members themselves to say whether they did not challenge all he did, and whether their challenges were not answered? He had no hesitation, however, in saying that it would have been impossible for the Lord Lieutenant to have performed his difficult duties as he had done during the last year if he were a Minister obliged to be in attendance in the House of Commons. He had really heard nothing in support of the proposed change; and it seemed to him, as it would to most hon. Members, that the moderate and firm way in which Lord Spencer had exercised his powers admirably illustrated the advantages of the present arrangement, and amply justified the existence of his Office. He hoped, therefore, the House would reject the Bill.

MR. GRAY said, he could perfectly well understand the hon. Member for Longford's (Mr. Justin M'Carthy's) discontent with the present arrangements as to the Viceroyalty; but, at the same time, he could not understand how a Member, with his political views, and desiring a greater extension of self government for Ireland, could advocate a measure which would go still more to reduce that country to the position of an English Province. The position of the Viceroy was certainly a very anomalous and a very unconstitutional one. He thought Her Majesty's Representative in Ireland should be above Party and above politics—he should be appointed, like the Viceroy of India and some Colonial Governors, for a term of years, and ought not to go out with an Administration. He should be the Representative of the Queen, not the Representative of a Party; and there should be in the House of Commons a responsible Minister for Irish Affairs to answer for the administration of the country. At present the position of the Viceroy was a most extraordinary one. Sometimes, as in the present case, he really governed that country, controlled even the minutest details of the administration, interested himself in the political work of the Government to a great degree, and held in his own hands the reins of Government. Now, if the House compared the position of affairs under Earl Spencer and the Chief Secretary to-day, with the position of affairs under Earl Cowper and the Chief Secretary 18 months or two years ago, they would find that then the right hon. Member for Bradford (Mr. W. E. Forster), as Chief Secretary, was that responsible Minister, and that Earl Cowper, in an elaborate manner, did the ornamental; while, at the present moment, it was his right hon. Friend (Mr. Trevelyan) who did the ornamental in an equally admirable manner; and Earl Spencer it was who was now the Chief Minister and Governor of Ireland, responsible for its administration, and holding a seat in the Cabinet. Now, he thought it would be very well to abolish that most anomalous and unconstitutional state of affairs; but to abolish the Viceroyalty altogether, and transfer its duties to a Secretary of State, would be to abolish one of the most formidable recognitions of the nationality of Ireland, and to abolish an Office which would have again to be established, if at any time they were to have an Irish Parliament. In his opinion, therefore, they should have an Irish Viceroy who would be above Party, and who would represent the Queen alone; and they should also have a responsible Minister for the administration of Irish affairs, who would represent, if possible, an Irish constituency, and not, as at present, a Minister who, although not a Member of that House, really ruled the roast in Ireland in all important matters. While he very much desired such a reform as that, which, in his opinion, would be far more Constitutional than the system at present in existence, he could not vote for the total abolition of an Office which would have the effect of reducing Ireland still more into the position of a mere Province of England.

MR. O'SHAUGHNESSY said, that, to some extent, he took a similar view of the Bill as the last speaker, and would oppose it. There were two views that might be taken of the future of Ireland. They might look to have Ireland play a greater share in the management of her affairs, or they might look to Ireland managed exclusively by Imperial means. He thought, from whichever point they looked, the proposition contained in the Bill was one that could not well be adopted. If they had an independent Assembly of a greater or less extent, they would require a recognized Head of the Executive, a person of dignity, and one who should hold very much the same position towards the Executive as the Queen held in this country, independent of any other power in the State, and unattached to any Party. Under such circumstances, he quite agreed that the Viceroy of Ireland should hold the Office for a specific time, and that he should be a person independent of the English Parliament. But the Bill dealt with the Office in connection with the existing Imperial Parliament, and would throw the responsibility of government on the Chief Secretary. That was practically the condition of things which existed prior to the appointment of Lord Spencer, and during the time of former Chief Secretaries; and the arguments which had been used in favour of the Bill simply meant a return to that state of things, so far as political and Executive affairs were concerned. They would, however, in such a case, still be obliged to have some official in Ireland responsible for carrying on the administration of the country, and that official would be a subordinate far less responsible to public opinion than were those Lord Lieutenants in former times who were second in political power to the Secretaries. He would just add one word on the social aspect of the question. There was, undoubtedly, a good deal of social harm occasioned in former times by the Viceroyalty in Ireland, for the reason that a large number of persons, whose means did not make it desirable that they should go to the expense of going to the Courts held in Dublin, used to go; and, undoubtedly, the high standard of living and expense thus introduced was fraught with a certain amount of social harm, and many families who had moderate fortunes thus lost them. But that practice did not now prevail. This was a question on which Irish Members had at all times within his recollection held different opinions. Mr. Butt, his late Colleague, always said that the maintenance of this institution was the maintenance of one of the last vestiges of Irish nationality. He shared that view, and should, on all grounds, vote against the Bill.

Mr. O'BRIEN said, that Earl Spencer's administration in Ireland furnished a very good proof of how mischievous a Lord Lieutenant might be. He was neither a Sovereign nor a subject. He was directing a vast network of secret and irresponsible power of all kinds, and the people of Ireland had no remedy against an abuse of that power. They might fairly assume that if the Chief Secretary were the Representative of an Irish constituency he would be a great deal more accurate and circumspect in his replies to Irish Questions. In Ireland they had all the disadvantages of a Russian despotism, with a spurious and second-hand Czar. The only frank argument he had ever heard in support of the Viceroyalty was that it enabled £53,000 to be spent in Dublin. But was not that a melancholy proof of the condition to which English misrule had brought a city which was once a great commercial capital? It was not a proof at all for retaining this palpable sham, which was of less pecuniary advantage to Ireland than one good factory. As to the opinion that nationality could be in any manner served by it, he could understand the tenderness of the hon. Member for Limerick (Mr. O'Shaughnessy) for the interests of Irish nationality. But it seemed to him almost too absurd to argue for a moment that the interests of Irish nationality depended upon the sort of gentlemen who clustered around Dublin Castle. The place was simply a hotbed of false and mean West Briton sentiment. The people who were reared up there had ceased from being Irishmen, and never could become Englishmen, although they sometimes affected to pose in the character. Whatever were the results of the abolition of the Viceroy, he believed the people of Ireland and the people of England would be able to understand each other a little better. He, therefore, certainly would vote for the Bill.

Mr. O'DONNELL said, this was rather a funny Bill. A few moments ago the House was engaged in discussing a Bill by which the Lord Lieutenant was to have the power of appointing Fishery Commissioners; whereas now it was proposed to abolish the Viceroyalty. He did not see any clear gain, from a national point of view, in substituting under the provisions of this Bill one sort of foreign official for another foreign official. They might as well have a Lord Lieutenant as a Secretary of State carrying out the policy of coercion. The Bill spoke of "that part of the Kingdom commonly called Ireland." Well, that was the way he was accustomed to see it spoken of in Royal and Viceregal Proclamations; but it was, surely, in a sense of severe sarcasm that his hon. Friend the Vice Chairman of the Irish Parliamentary Party had adopted that peculiarly British phrase. If they went further into the Bill, there was a clause providing that the new Principal Secretary of State should be an Irishman, and should represent an Irish constituency. Well, he did not know what Member of the Irish Parliamentary Party his hon. Friend had in view to be the new Secretary of State in the British Government for "that part of the United Kingdom commonly called Ireland." He had no doubt they could find an Irish Gentleman like the Attorney General for Ireland or the hon. Member for Londonderry City (Mr. Lewis) who would accept the post, or they might find a very genuine Irish Gentleman like either of the two Gentlemen who represented the University of Dublin; but he could not see the national gain from appointing any of them to be Secretary of State "for that part of the United Kingdom commonly called Ireland." Well, suppose the Bill to be in operation, his hon. Friend the Member for Mallow (Mr. O'Brien) had denounced the Castle very fairly as a sink of corruption, or something of that sort; but he did not see how the introduction of a Secretary of State would tend to purify the political atmosphere of Dublin Castle. Even when the Chief Secretary had a seat in the Cabinet he did not observe any perceptible improvement in the condition of Dublin Castle. He could, therefore, only regard the Bill as a grave but somewhat undiscoverable sarcasm on the part of his hon. Friend. The only practical benefit to be derived from the introduction of the Bill was that it gave his hon. Friend the Member for Longford an opportunity for a most charming historical survey of former Viceroys. If any considerable number of Irish Members intended voting for the Bill he should not vote against it; but, for the reasons he had stated, he would abstain from voting.

MR. LEA said, he did not remember ever to have heard any of his constituents express an opinion either for or against this proposal; and, therefore, he did not think it necessary to express any view upon the subject himself. But he wished to say that, when questions like the Poor Law Removal Bill or the Bill that was debated this afternoon came before the House, the Government did not and would not pay that consideration to Irish opinion which they ought to do. He regarded it as unfortunate that the Chief Secretary was not a Member of the Cabinet; and, without disrespect to his right hon. Friend, or Earl Spencer, he felt bound strongly to urge that they were unable to bring their views and opinions effectively before the Cabinet, and this was most unsatisfactory. It seemed to him, therefore, that the Irish people were not represented as they ought to be; and for that reason he should give his vote in favour of the Bill if it came to a Division.

MR. SHEIL said, the hon. Member for Dungarvan (Mr. O'Donnell) had expressed his intention not to vote against the Party to which he professed to belong. It would be very interesting to know why the hon. Member had spoken against that Party. That was not the first time they had been entertained by speeches from the hon. Member, which, however they might raise him in the estimation of English Members, certainly were not calculated to promote admiration in the minds of Irish Members. The hon. Member's speeches were framed in that peculiar vein of sarcasm which belonged, fortunately, only to himself. The hon. Member had declared that he did not see what gain the Bill would be to Irish nationality. But what would be gained to Irish nationality by speeches such as the hon. Member made? He should like to know from the hon. Member to what portion of the Irish Party he claimed to belong? They often had letters in *The Times* and other journals dated from the Parliamentary offices of the Irish Party over the signature of the hon. Member. If the hon. Member belonged to the Party, why did he get up and seek to create dissension in the midst of that Party? If the hon. Member found himself unable to work with the Irish Party the best thing he could do would be to disassociate himself from them altogether. The hon. Member had stated that he could not support the measure, but would not vote against it. He (Mr. Sheil) thought it would be better and more consistent, holding the particular view that he did, if the hon. Member were to vote against the Bill, rather than shirk his responsibility by avoiding the Division Lobby.

MR. TREVELYAN said, that the debate, which had closed with a good deal of vivacity, had not been throughout characterized by much vivacity. The hon. Member for Longford (Mr. Justin M'Carthy) had given an interesting historical account, but gave the impression that he felt the debate to be of rather a hollow character. The hon. Member had given very interesting accounts of the Viceroyalty of Lord Chesterfield and other Viceroys, from which he was not much disposed to differ. But it was clear that he did not seriously expect to carry his Bill. The hon. Member for Carlow (Mr. Gray) had given reasons for doubting whether the Bill was well advised. It was for hon. Members sitting around the hon. Member to judge of that; but if he (Mr. Trevelyan) were a Member of that Party in the House, he certainly should not vote for the Bill. A measure like this could only be proposed on the authority of the Government as a whole, and the Government certainly had not made up its collective mind that so strong a step was required at the present moment; and he could not say that the Bill was so drawn as to make the Government think it was seriously necessary at this moment to make up and announce their minds on the subject. The Bill, which related to the government of 5,000,000 people, only consisted of three clauses; and, as far as he understood, there was one clause out of the three upon which the hon. Member did not insist. He doubted whether it lay within the Constitutional limits of the power of the Crown to choose its servants under such conditions as were proposed in the 3rd clause of the Bill. Even if there were no such Constitutional objection, no Government could consent to such conditions. If the Government could not return the man of all others whom they wanted for an Irish constituency, they would be forced either to repeal that clause, or, while nominally acceding to it, and appointing as Secretary of State a Gentleman representing an Irish constituency, they would be forced to leave the administrative functions in Ireland in the hands of some thoroughly competent official; and the measure of competency would have to be high, as he would have to discharge the duties both of Lord Lieutenant and of Chief Secretary. The hon. Member for Longford, too, ought to remember that this Bill would deprive Ireland of the services of such men as Lord Chesterfield and Lord Fitzwilliam, as he proposed that the Chief Administrator should not be a Peer of the Realm. There were also other objections to the Bill. It transferred the statutory powers of the Lord Lieutenant to the Secretary of State. But what about the non-statutory powers, of which an enormous number was vested in the Lord Lieutenant? He appointed justices, officials in all the Public Departments, revised sentences on behalf of the Crown, issued warrants for the arrest of the more important criminals. The Lord Lieutenant had sometimes in the course of five minutes to determine questions on which the most important interests of Ireland, and perhaps of the United Kingdom, might depend. Such a crisis occurred three or four Viceroyalties ago; and in the recent difficulties which had arisen with the Royal Irish Constabulary and the Dublin Metropolitan Police, if there had not been a responsible Executive Officer of State on the spot, the most disastrous consequences might have ensued. There was also a great number of statutory powers exercised by the Lord Lieutenant. Hon. Members were probably hardly aware of what the duties of a Lord Lieutenant were. He had to make rules for the government of the Royal Irish Constabulary and of the Dublin Police; he was responsible for all the prisons, and had to decide which should be closed and which remain open; appointed the governors of prisons, regulated lunatic asylums, appointed Sub-Commissioners under the Land Act, and superintended the carrying out of the Crimes Act. He was also President of the Queen's Colleges, appointed Resident Magistrates, gave licences for the celebration of marriage, and appointed Sheriffs for some of the chief towns in the country. He was also President of the Privy Council, and had to make rules under such different Acts as the Judicature Acts and the Cattle Diseases Act. Could such duties be discharged by an official in an office at Storey's Gate, Westminster, who had a seat in that House, or by an official who was hurrying backwards and forwards between London and Dublin? Yet those duties would have to be discharged by the Chief Administrator of Ireland, whoever he might be. It was obvious that no one but a man well acquainted with Ireland, and constantly resident there, could perform such multifarious functions. But, at a time like this, there were personal reasons why this Bill should not be favourably considered. The hon. Member for Longford had quoted Mr. Bernal Osborne as saying that there was no reason why the shadow should remain when the substance had gone. Several such expressions had been used in the course of the debate—phantom, puppet, decaying system. None of these terms could rightly be applied to the Viceroyalty of Lord Spencer. Again, to use the words of the hon. Member for Longford, Lord Spencer went to Ireland at the most inauspicious and dangerous moment at which a Lord Lieutenant could have been sent to Ireland. The hon. Member had spoken of previous Lord Lieutenants not having to go about under police protection; but he was sure he did not mean that as a personal taunt. [Mr. BIGGAR: Yes, yes!] His (Mr. Trevelyan's) interpretation was that the hon. Member meant that Lord Spencer was advocating a policy which placed him in personal danger from which his Predecessors were free. It was not because of his personal qualities, or his political and administrative opinions, but on account of the position he held as Lord Lieutenant which made him disliked, as any Lord Lieutenant would have been at the time he took Office, and in the circumstances then existing. It should not, therefore, be a reproach to him that he had to be protected in his walks from his residence to the Castle. From the first moment of his landing, before there was time to ascertain what manner of man he was, his life, as far as one class of the community was disposed, was not worth one moment's purchase. It was not, then, for his political opinions that the Lord Lieutenant required police protection. It was enough for those against whom that protection was required that he was Lord Lieutenant. It was not for him to dwell on the qualities of Lord Spencer. It might be that his abilities, his experience of Public Business, and his extraordinary industry, were qualities that could be found elsewhere, though it would not be easy to do so; but he had other qualities which had a bearing upon the vote which he hoped the House would give. He had other qualities peculiar to himself—an extraordinary knowledge of Irish Business, gained by doing Irish Business for six hard-worked years, a great knowledge of Irishmen, a great interest in Irish affairs, and an honest determination to apply all the qualities with which Heaven had endowed him to work Irish affairs to the best of his ability for the welfare of Ireland. Lord Spencer had been called a "foreign official" by the hon. Member for Dungarvan (Mr. O'Donnell); but if they calculated the number of years that Lord Spencer and the hon. Member for Dungarvan had respectively spent on Irish soil since they came to manhood the comparison would not be at all to the disadvantage of Lord Spencer. It was impossible to exaggerate the advantage of having a man like Lord Spencer applying his ability and industry to the work of administration on the spot in Ireland at the same time that another person was applying such poor powers as he (Mr. Trevelyan) had to the work of representing the Irish Government in that House. They could not abolish the Viceroy without replacing him in Ireland by a man of equal industry, equal ability, and equal authority; and that man must not be on these Benches, but he must be doing administrative work in Ireland. The hon. Member for Longford (Mr. Justin M'Carthy) had said that he would be satisfied if the Government would undertake to consider the question of the reconstitution of the Government of Ireland, and that, in that case, he was willing to withdraw the Bill. He did not think this was a moment when the Government could enter upon such questions. They were perfectly satisfied with the existing system, and would oppose the second reading of the Bill if the hon. Member insisted on taking a Division.

MR. CALLAN said, that in the enumeration of the duties of the Lord Lieutenant and Chief Secretary the right hon. Gentleman had omitted the duties of emigration agent. As he had learned, however, from the right hon. Gentleman that the Lord Lieutenant had authority over the lunatic asylums, he hoped His Excellency would devote some time to the lunatic asylums of the two counties from which Whig Members came to that House—namely, the counties of Derry and Donegal—where all the appointments were Protestant and Presbyterian, to the exclusion of Roman Catholics. But he could not support the Bill; it was a sham, and, as the Chief Secretary had said, the debate upon it was a hollow one. He denied that it was in any sense a Party Bill. It had never been brought before the Irish Party, never considered by them, and some of them had never seen it at all till it was put into their hands to-day. The attack, therefore, of the junior Member for Meath (Mr. Sheil) on the hon. Member for Dungarvan was most unjustifiable. He thought, however, that if a Member of the Royal Family were to undertake the duties of Viceroy for five or six years, and thereby raised the Government of Ireland out of the muddle of Party politics, it would cause great satisfaction in the country. Two changes, however, were required. It was now provided by law that no Catholic could be Lord Lieutenant, and this was a great injustice. He saw in his place the Envoy to Rome—["Hear, hear!" *and* "No!"] He said "Yes," and was as well acquainted with Irish opinion as the hon. Members who said "No."

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

House adjourned at ten minutes before Six o clock.

HOUSE OF LORDS,

Thursday, 21*st June*, 1883.

MINUTES.]—*Sat First in Parliament*—The Viscount Exmouth, after the death of his uncle.

Public Bills—*Second Reading*—Lord Alcester's Grant (95); Lord Wolseley's Grant * (96).

Committee—Stolen Goods * (78-105).

Report—Gas and Water Provisional Orders * (76); Water Provisional Orders * (77); Tramways Provisional Orders (No. 2) * (80).

Third Reading—Pier and Harbour Provisional Order (No. 2) * (82); Indian Marine * (88), and *passed.*

LORD ALCESTER'S GRANT BILL.

(*The Earl of Northbrook.*)

(NO. 95.) SECOND READING.

Order of the Day for the Second Reading read.

The Earl of NORTHBROOK: My Lords, I have to ask your Lordships to give a second reading to this Bill for the purpose of making a grant to Lord Alcester. It has seldom happened that the Services of the Army and Navy have been so closely associated as they were during the recent operations in Egypt. I therefore ask to be permitted, in moving the second reading of Lord Alcester's Grant Bill, to make such observations as will apply to an identical Bill in respect to Lord Wolseley, to which also I shall have to ask your Lordships to give a second reading. In October last Resolutions were passed in your Lordships' House, *nemine dissentiente,* thanking Admiral Sir Beauchamp Seymour and General Sir Garnet Wolseley for their distinguished skill and ability displayed in the operations in Egypt. The Queen was subsequently pleased to confer upon them the distinction of the Peerage, followed, in accordance with precedent, by a recommendation to both Houses of Parliament to make a provision in support of that high honour. Your Lordships, in April last, agreed upon a humble Address of Thanks and concurrence with Her Majesty's Most Gracious Message. The Bills for which I have to ask a second reading are for the purpose of carrying Her Majesty's gracious recommendation into effect. My Lords, I should have been pleased to dilate somewhat upon the skill shown by Lord Alcester in the attack on the forts of Alexandria, whereby his object was gained with hardly any damage to the city, the energy of his subsequent action on shore, the admirable arrangements made for the occupation of the Suez Canal, and the effective support given under his directions to the advance of the Army. I should have been glad to dwell upon the remarkable foresight of Lord Wolseley in planning the military operations, the decision and genius he displayed in carrying them out, especially in the attack on the Egyptian lines at Tel-el-Kebir, and the cordiality and consideration shown in all his relations with the Navy, which are highly appreciated by all ranks in that Service. But this has been said before, and better than I could hope to say it, by my noble Friend beside me (Earl Granville), the noble Marquess opposite (the Marquess of Salisbury), and His Royal Highness, the Field Marshal Commanding-in-Chief. The noble Marquess then cordially accepted the position which Her Majesty's Government have desired to take with respect to these proceedings. I mean that, whatever differences of opinion there may be as to the policy of the Government, such differences should not be permitted to cast a shadow upon the recognition of the services of the officers whose duty it was to execute their instructions. While, however, it would be wearying your Lordships were I to dwell longer upon the particular services rendered by my noble and gallant Friends in Egypt, I may be allowed briefly to refer to their previous careers. It is a curious coincidence that they saw their first active service together. It is 30 years ago, in the Burmese War, that Lord Alcester, then Commander Seymour, serving upon General Godwin's Staff as a volunteer, led the storming party at the capture of the works at Pegu, while Ensign Wolseley led another storming party at Donabew, where he was severely wounded. Lord Wolseley next served in the trenches at Sebastopol, where he was twice wounded. He was then engaged with distinction in the Indian Mutiny, where he obtained the rank of Lieutenant Colonel, and afterwards in the China War of 1860. In 1870 he directed, with signal success, the Red River Expedition. In 1873 he successfully conducted the Ashantee War, for which he received the Thanks of both Houses of Parliament and promotion to Major General for distinguished service. In 1879 he commanded the troops in the operations which concluded the Zulu War. Lord Alcester has embraced every opportunity of service which presented itself. He took out to the Crimea one of our first two iron-clads, and in 1860 he commanded the Naval Brigade in New Zealand on shore for 13 months, when he was severely wounded. He commanded the Flying Squadron in 1872, the Channel Squadron in 1874, and the Mediterranean Squadron from 1880 till a few months ago, when he showed high diplomatic ability, emulating the distinction gained by Sir William Parker in the same important command. But however distinguished the recent services of my gallant Friends may be, and however meritorious their previous careers, I feel confident they will agree with me that the honours conferred upon them are not to be regarded solely in reference to themselves, but also as awarded to worthy Representatives of the two great Services to which they belong. I may be allowed also to express the satisfaction which is felt by the Navy, that the Queen has been pleased to confer the honour of a seat in this House upon a distinguished Naval Officer, no opportunity of a purely Naval Peerage having occurred since the time of Lord Exmouth. Both the noble and gallant Lords are, I venture to think, admirably qualified to assist our deliberations upon military and naval questions, and well deserve the welcome which your Lordships have already accorded to them. I need say but a few words upon the provisions contained in the two Bills which have come up to your Lordships from the other House. The Government originally adopted the latest precedent, and proposed to confer upon my noble and gallant Friends annuities of £2,000 for two lives; but so strong a feeling was shown in the other House of Parliament that the provision should take the form of a grant rather than that of an annuity, that Her Majesty's Government, desirous as every Government must be to meet in such matters the general sense of Parliament, changed the form of their proposal into grants of £25,000 to Lord Alcester and £30,000 to Lord Wolseley, which roughly but fairly represent the value of their respective annuities—a change which, I may observe, has not been disagreeable to either of the noble and gallant Lords who are principally concerned. I beg to move the second reading of the Bill.

THE MARQUESS OF SALISBURY: My Lords, in seconding this Motion I have to express my hearty concurrence with the noble Earl opposite, and I do not think it necessary to enter into any of the matters with which he has dealt. In this House, at all events, it is not our duty to scrutinize narrowly the manner or form of any pecuniary measures which the Crown may think fit to recommend to Parliament in order to express its approbation of distinguished services. In the other House discussions were raised dealing with precedents and instituting comparisons; but all such subjects I put aside entirely. We assent—cordially assent—to this proposal, because we are glad to concur with the Crown in offering our recognition of the merits of these distinguished officers who have done so much to promote the interests of the country, and have shed so much lustre on its annals.

Moved, "That the Bill be now read 2^a,"—(*The Earl of Northbrook.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

LIGHTHOUSE ILLUMINANTS' COMMITTEE — PROFESSOR TYNDALL AND THE BOARD OF TRADE.

QUESTION. OBSERVATIONS.

THE EARL OF DUNRAVEN asked, Whether, owing to the nature of the constitution of the Committee appointed by the Board of Trade on lighthouse illuminants, Professor Tyndall has resigned his position as Scientific Adviser of the Board of Trade, and the Commissioners of Irish Lights had withdrawn from the inquiry; and, if so, whether it is the intention of the Board of Trade to re-constitute the Committee; also, whether there is any objection to lay before the House the minutes of proceedings of the Committee; and the correspondence between Professor Tyndall, the Board of Trade, the Commissioners of Northern Lighthouses, and the Commissioners of Irish Lights? The noble Earl said, that the question affected private rights and the public interests. The question which was involved was, what was the best illuminant to be used in our lighthouses round the Coast? It was a matter which deeply affected the lives and welfare of our sailors. It appeared that there was a difference of opinion as to whether gas or oil burners should be used. As far back as 1875, Professor Tyndall had reported in favour of the use of gas for this purpose. His Report showed that gas was, in the view of practical men, the better illuminant; and in Ireland there was a great wish that it might be used. The Commissioners of Irish Lights were anxious to adopt the recommendation of the Report as far as possible; but they were opposed both by the Trinity House and the Board of Trade, who refused to sanction the necessary expenditure. A protest against this decision was signed by several influential persons, among whom were the Lord Mayor of Dublin, Lord Monck, and Lord Meath; and the controversy, thus renewed, went on for some time, till at last the Board of Trade instituted a formal inquiry into the whole subject. After the first appointment of the Committee it was re-constituted on a different basis, to which Professor Tyndall objected, on the ground that the oil interest preponderated over the gas interest; and the subsequent action of the Committee appeared to have justified Professor Tyndall's resignation, because the Committee had made experiments with stronger oil-burners than any in use while gas-burners of the highest power invented by Mr. Wigham had not been allowed to be exhibited. The Irish Board of Lights had no alternative, under the circumstances, than to retire from the Committee. The present position of affairs was that Professor Tyndall had severed his connection with the Board of Trade. The personal aspect of the question was of the least importance as far as the results were concerned; but the question was important as affecting the security of property and the lives of sailors at sea, and he trusted that the Government would be able to give a satisfactory explanation of the matter. He also trusted the Committee would be so altered as to enable Professor Tyndall to rejoin the Board.

LORD SUDELEY said, that the subject which had been raised by the noble Earl was one in which, unfortunately, a great deal of personal feeling had been imported, and in regard to which a considerable amount of jealousy had arisen. In answer to the first Question of the noble Earl, he must at once say it was true that Professor Tyndall had resigned his post as Scientific Adviser of the Board of Trade, and the President had expressed his very great regret that this should have taken place. The noble Earl had quoted very largely from the published Correspondence, and pssibly had left the erroneous view upon their Lordships' minds that the Board of Trade and the Trinity House had acted in a very high-handed manner to the prejudice of Professor Tyndall. The noble Earl stated that the resignation was due to the constitution of the Committee charged with the proposed experiments; and that Professor Tyndall considered that Mr. Wigham, the inventor of the well-known gas burner, was not likely to have fair play, as the engineer to the Trinity House held a patent for an improved burner, and it was thought he looked coldly on the use of gas in lighthouses. He further said that Professor Tyndall brought a charge against the Board of Trade for general want of support of the gas system, which he stated was in 1879 brought to the verge of destruction; also, that Professor Tyndall objected to the action of the Trinity House in seeking to invalidate some of Mr. Wigham's patent rights. He did not complain of the view put forward by the noble Earl; but he thought it must be quite clear to anyone who had perused the Correspondence that there was another side to the story; and he would endeavour to put briefly before their Lordships the views entertained by the Trinity House, the Commissioners of Northern Lights, and the Board of Trade, and the action they had taken in this matter. He would first clear the ground of that part of the charge which referred to past years. The noble Earl had quoted from Professor Tyndall's letter of the 28th of March, in which, while speaking strongly in favour of the gas system, and quoting the evidence of high authorities in its favour, he stated that—

> "In the face of this, the gas system in 1879 was brought to the verge of destruction;"

also that the Board of Trade—

> "With unaccountable unwisdom, ratified all this, and signed what would have been the death warrant of the gas system, if active steps had not been taken to interpose."

This complaint against the Board was in respect of the action in past years under previous Governments. The great authorities of the Trinity House, the Northern Lights, and the Board of Trade were of opinion that these charges were unfounded, and that no experiment on a sufficient scale had taken place to prove the superiority of the gas system. For his present purpose he thought it would be quite sufficient if he was able to show that from the year 1880 the charges made against the Board of Trade could not be substantiated. It would be well to state at once what position the Board of Trade held in regard to this matter. The three lighthouse authorities—the Corporation of the Trinity House, the Commissioners of Northern Lights, and the Commissioners of Irish Lights—had full power to deal in their respective localities on the question as to whether gas, oil, or electricity should be employed for illumination. The Board of Trade was only indirectly the controlling authority, as they were the Trustees of the Mercantile Marine Fund, and it devolved upon them to see that the money was properly spent. As far as possible the Board of Trade refrained from interference with these local authorities; but it was clearly the duty of the Board to bring them together when any difference arose in connection with their work, in order to render their arrangements as uniform as possible. The question of the efficiency and comparative cost of the three illuminants—gas, oil, and latterly of electricity—had been for some time under consideration. The Commissioners of Irish Lights had taken a very strong stand in favour of gas. The other two great authorities, certainly of equal weight and experience, were not, however, of the same opinion; and it had, therefore, seemed most desirable to the Board of Trade, acting really as a go-between, that experiments should be made, after the present Government came into power, to determine which of the three illuminants should be adopted, and, by means of careful and exhaustive trials, to clear the whole matter up. The position of the Board of Trade to the Commissioners of Irish Lights was somewhat peculiar, and involved special responsibility from their position as Trustees to the Mercantile Marine Fund. The noble Earl had quoted a letter of Professor Tyndall of the 8th of March, in which he said that—

> "If the treatment of the gas invention is a fair sample of the general treatment of Ireland by England, it would be the duty of every Irishman to become a Home Ruler."

To clear that point up let him at once say that he could not believe Professor Tyndall could have been aware of the financial position of the Commissioners of Irish Lights when he made this observation. If the Commissioners had had Home Rule in this matter they would be absolutely bankrupt. It appeared that, whereas in 1881 they spent £82,000, they received dues amounting to only £21,000; so that no less than £61,000 had to be paid over to them from the dues collected in England and Scotland to enable them to carry out the work of lighting the Irish Coast. He mentioned this fact merely to show how very responsible a position the Board of Trade held towards the Commissioners of Irish Lights as Trustees of the Mercantile Marine Fund. The President paid a visit to Ireland in 1881, and was shown the working of Mr. Wigham's apparatus on the spot. He was very much struck with the importance of the invention; and although he found there was some little difference of opinion among the Commissioners themselves, he thought the matter of such consequence that he suggested a series of comparative experiments should be carried out as soon as possible under the observation of Professor Tyndall. As matters proceeded it was found that a trial on a small scale could not be satisfactorily carried out; and the Trinity House suggested, on the 28th of March, 1882, that the preliminary trials should be given up, and that the investigation should be thoroughly exhaustive and complete, and include a full inquiry into the merits of the electric light. Professor Tyndall, in September, 1882, had expressed himself very strongly respecting Mr. Wigham and Sir James Douglass being both inventors, and, therefore, that they ought to be put on the same footing. This the Corporation of Trinity House objected to, and stated to the Board of Trade in October, 1882, that—

> "The question of equal personal interests should be reduced to its true proportion. Mr. Wigham, the patentee of the composite gas burner, is a manufacturer, constructing and vending to the lighthouse authorities not only the burner itself, but the whole gas-making apparatus connected with it. He has incurred the expense of a patent, and will reap substantial profit at the hands of the shipowner in the event of success after those trials. Sir James Douglass is not a manufacturer nor a trader in oil. He has himself incurred the expense of a patent, without any contribution by the Corporation, and has granted the free use of it to all the Lighthouse Boards; so that he makes no profit whatever by success, and the only benefittee is the shipowner."

It was well known that Sir James Douglass was the life and soul of the Trinity House. About this time the President of the Board of Trade had an interview with Professor Tyndall on the subject of the experiments; and in the course of conversation it appeared to him that as Professor Tyndall seemed to have a very strong opinion as to the superiority of gas over oil, and as to the special right of Mr. Wigham as regards patents, and some little disposition to impute motives and pecuniary interests to people, it would be better to have another gentleman appointed to assist in the investigation specially representing the Board of Trade, and thoroughly and entirely impartial. Now, in speaking of Professor Tyndall, it must be remembered that he was one who stood very high indeed in the scientific world. He was a gentleman well known to many of their Lordships, and his high character, straightforwardness, and independence were well known; but it was no discredit to him to say that he had the character that, when once he had formed an opinion, it was almost impossible to get him to alter it. The President of the Board of Trade had felt he was bound, as a Trustee, to look upon the matter from a practical point of view. He had to remember that, however high a value he might place on Professor Tyndall's opinion, the Corporation of the Trinity House, with their great authorities, and the Commissioners of Northern Lights, with their eminent scientific advisers, were distinctly opposed to the view that gas was better than oil, and would not agree to any Committee they considered to be partial. When, therefore, he found on the part of Professor Tyndall an apparent leaning on one side, he thought it was impossible to leave the matter entirely under Professor Tyndall's supervision. Under these circumstances, Mr. Vernon Harcourt, who was Gas Referee to the Board of Trade, was appointed to act specially in their interest in the matter, and it was hoped that this would have been done without in any way slighting the feelings of Professor Tyndall. It was proposed that the engineers of the three Boards, with Professor Tyndall and Mr Vernon Harcourt, should form the proposed Committee of Inquiry, and that Mr. Wigham, as the inventor of the improved gas-burner, in deference to Professor Tyndall's wishes, should be put in the same position as Sir James Douglass, the patentee of a burner. At first it was arranged that these two gentlemen should not vote on the Committee. A letter received from the Chairman of the Committee, dated the 22nd of January, 1883, (No. 59), showed the difficulty arising from Sir James Douglass's and Mr. Wigham's position not being properly defined; and it was thought better, on the whole, to let these two gentlemen, who might be considered to represent gas and oil respectively, become ordinary Members of the Committee. In the same letter was mentioned a suggestion from the Trinity House, that the Board of Trade should appoint some gentleman conversant with the theoretical details of the electric light. In accordance with this, the Board of Trade selected Dr. Hopkinson—as being one of the ablest and best known electrical engineers—to represent that branch on the Committee. On February 3, Professor Tyndall asked to be relieved of the duty of serving on the proposed Committee. The Board of Trade wrote immediately, stating that the Committee would, in their opinion, be incomplete without his presence and assistance; and, on the 17th, Professor Tyndall suggested an alternative Committee, leaving out the names of Dr. Hopkinson and Mr. William Douglass. The Board of Trade replied, on the 20th of February, that they could not allow him to nominate the Committee. As far as Dr. Hopkinson was concerned, it appeared that Professor Tyndall, in his letter of the 28th of March, objected to him, because he was an intimate friend and associate of Sir James Douglass. The Board of Trade looked upon Dr. Hopkinson as a gentleman whose standing in his Profession was such as to place him above the suspicion of prejudice. Their Lordships would see that in the same way it would be easy to retort upon Professor Tyndall, in respect to his strong feelings in favour of Mr. Wigham's gas process and his patent rights, that he also was prejudiced. But the Board of Trade were emphatically of opinion that those insinuations and suggestions ought not to have been made. As regarded the point raised by Professor Tyndall, to the effect that Mr. Wigham and Sir James Douglass ought not to have the power of voting on the Committee, the Board of Trade pointed out in their letter to the Commissioners of Irish Lights—

> "As to the question whether one or more of the Members of the Committee should be deprived of voting, the Board do not think there is need of any instruction being given to the Committee on this point. If there should be a necessity for voting, the names of the Members voting will appear in the Report, and any pecuniary interest which any Member will have will be duly weighed. Besides, as the Board have told the Commissioners of Northern Lighthouses, the Committee and its Members cannot be expected to act as the practical advisers of the Government or the Lighthouse Board. Their functions will be confined to ascertaining by experiment certain facts on which at present there is some difference of opinion, and no exact means of determining results."

The sole object of the present inquiry was for the public good. The success of individual inventors, apart from the obvious duty of dealing justly by them, was a matter of minor importance. In answer to another Question of the noble Earl, he might state that the Commissioners of Irish Lights had intimated their intention of withdrawing from the inquiry; but the Board of Trade had discovered that this was only due to a misunderstanding as to the manner in which the Committee intended to carry out their business. They had since placed the explanation of the Committee with supplementary Correspondence before the Commissioners of Irish Lights, and had every reason to think that the Commissioners would at once reconsider their decision. If, however, they should feel it their duty to permanently withdraw, the Board of Trade would have to consider seriously whether it would be worth while to proceed with the experiments, or whether it would be better to let the whole matter drop, and for each authority to carry out their own trials. The Committee had only met on a few occasions, and it would be impossible for the Minutes of their proceedings to be published piecemeal. The general Correspondence on the subject, numbering no less than 112 letters, was in the possession of the House. In reference to the inquiry by the noble Earl as to the omission of a portion of Mr. Vernon Harcourt's letter of November, 1882 (No. 51), he would state that it was merely a copy of extracts from a confidential letter sent to the Trinity House. The whole letter had been shown to Professor Tyndall; but, in writing to the Trinity House, it was thought inexpedient to quote the whole of a private letter. He thought that after that review the House would see that, in arranging for this Committee, the Trinity House, the Commissioners of Northern Lights, and the Board of Trade, had been desirous that its representation should be such as to make a valuable, practical, and exhaustive inquiry into every branch of the subject, and to be enabled to give an opinion of the greatest public importance. It was much to be regretted that any personal feeling of jealousy should have arisen, but the Board of Trade hoped that the whole matter would now settle down, and the investigation be allowed to proceed.

THE DUKE OF ARGYLL said, until Wednesday night, when he had the Correspondence to which the noble Earl (the Earl of Dunraven) had alluded placed in his hands, he was entirely ignorant of the subject; but as he enjoyed the friendship of Professor Tyndall, and knew him to be not only a man of great scientific attainments, but also a fair-minded man, he could not but think that some blunder had been made on the part of the Board of Trade. Having read the whole Correspondence which had been published, he was a little amused with the way in which it had been handled by the noble Earl, who read a number of extracts from Professor Tyndall's letters, but did not give their Lordships the smallest hint of what were the answers of the great Public Departments—the Scottish Commissioners, the English Commissioners—the Trinity House—and the Irish Commissioners. Having, as he had said, read the Correspondence, and being, at the same time, entirely satisfied of the perfect purity of his motives, he could not but come to the conclusion that Professor Tyndall had made a very great mistake in refusing his services to the Board of Trade. The real question was, what was the best illuminant for lighthouses in the Three Kingdoms?—a purely scientific question, to be determined by experiments which must be conducted under the very best scientific authorities that could be obtained. The Board of Trade consulted with the three great bodies connected with the Three Kingdoms. They requested these bodies to name their own Representatives on the Committee, and this was done. Professor Tyndall had persuaded himself of the great superiority of the gas illuminant which had been developed under the care of Mr. Wigham, the inventor of a gas illuminator, who was one of the Members appointed on the Committee. Professor Tyndall, therefore, objected to the constitution of the Committee, principally on the ground that it included Sir James Douglass, who was engineer to the Trinity House, and was personally interested in a patent for an oil illuminant. There were two ways in which such a body of men might be selected. One would be to choose only such as had no interest in any particular method—in fact, a body of judges. The other course, which was actually adopted, was to select representatives of every interest. Thus, though Sir James Douglass had an interest in oil, Mr. Wigham, Professor Tyndall's friend, had a patent for gas illuminants, and was a gas manufacturer. Thus each of those gentlemen would correct the other. The Board of Trade, in deference to Professor Tyndall's opinion, were quite willing to remove the name of Mr. William Douglass from the Committee, as he was Sir James Douglass's brother. Therefore, he did not think any blame could attach to the Board of Trade in the matter; but he was quite certain that, under the circumstances, Professor Tyndall was mistaken in the view he had taken. It was the case of an Irish invention *versus* an English invention. He did not think either the Northern Commissioners in Scotland, or the Trinity House in England, could have the smallest prejudice against any particular invention. He felt perfectly certain that they would give equal justice to all the inventions brought before them. Since his noble Friend had sat down he had received a telegram, which showed that his noble Friend had made a mistake, and that the decision of the Committee he referred to only related to minor experiments. He believed that it was the opinion of the Trinity House authorities that oil could be made quite as efficient as gas for the less powerful lights, but that for the more powerful lights electricity must be employed. It was for this reason that they desired that Dr. Hopkinson, who was specially acquainted with the subject of electric lighting, should be placed upon the Committee.

NAVY—WRECK OF H.M.S. "LIVELY"—THE "HEN AND CHICKENS" ROCK AND "NORTH SHOAL."

MOTION FOR A PAPER.

THE DUKE OF MARLBOROUGH said, he rose to inquire of Her Majesty's Government, in reference to the loss of Her Majesty's Ship "Lively," Whether any representations have been made to the Board of Admiralty or other department with the view of having the rock known as the "Hen and Chickens" buoyed; and, if so, for what reason a precaution apparently so necessary for the safety of Her Majesty's Ships has not been taken? The subject was one of considerable public interest, because the vessel in question was a very valuable one. It was certainly a most extraordinary thing that the vessel should have struck upon this shoal in broad daylight, and when she had an experienced officer on board; and, doubtless, if this shoal had been buoyed the accident would not have happened. It would not be proper, at the present moment, for him to say anything that might prejudice the case, which would certainly have to be inquired into, or to aggravate the position of a gallant officer who would, doubtless, have to justify the course he pursued before a court martial. In one respect he thought that the commanders in the Royal Navy were more sinned against than sinning, and that was in the matter of the charge of their ships being handed over to pilots. In the present instance, he understood that the *Lively* at the time she struck was in charge of a pilot. Nothing could conduce more to accidents of this character than to place British ships of war, when in British waters, in the hands of pilots, because such a course must inevitably weaken the sense of responsibility of the commanding officers. The Board of Admiralty had published a most admirable work, showing the dangers surrounding the British Coasts, and also most excellent charts; and officers in the Navy should be required to make themselves acquainted with those means for making them competent pilots. If all naval officers were obliged to be their own pilots in British waters, and to keep a careful record of the mode in which they took their vessels in and out of harbour, a very good school of navigation would be established, which would fit our officers to pilot their vessels with safety in all parts of the globe. His belief was that if a buoy had been placed on the Hen and Chickens Rock, a valuable ship might have been saved for the British Service. He also wished to inquire, Whether any similar representations have been at any time made with reference to a well-known danger called the "North Shoal," off the west coast of the Orkneys; and whether, in view of the recent catastrophe, the marking of that danger by means of a buoy will be seriously considered? and to move for any correspondence on the subjects. The shoal in question was thus described by the Admiralty—

"The North Shoal is a bank of 20 and 25 fathoms, having on it a small and nearly perpendicular rock which rises to within nearly 7 feet of the surface of low water springs; the summit of the rock is not more than half the size of a boat, the lead falling off it into deeper water."

This rock was nine miles distant from the nearest land, and was in the track of vessels coming from North America. There was a large number of men and vessels engaged in the cod fishing in the Northern Seas. Shoals of this character were a great danger to vessels engaged in the fishings on that part of the Coast; and if this matter were seriously considered by the Admiralty or the Board of Trade, and the dangerous spot marked either by a lightship or a buoy, it would be the means of saving many lives.

Moved for—

"Correspondence respecting the buoying of the rock known as the 'Hen and Chickens,' and of the 'North Shoal,' off the west coast of the Orkneys."—(*The Duke of Marlborough.*)

The Marquess of LOTHIAN said, he wished to call attention to the fact that the captain of a steam fishing boat or tug named the *Mary Anne* had done everything he could to render assistance, and deserved the greatest possible thanks for his conduct. But shortly after the *Lively* struck, a steam herring boat, on its way to Stornoway, passed close by, being only two or three minutes off; and, though every possible signal of distress was held out, the captain of this ship did not stir one yard from his course to render assistance, or even come near to see if he could be of any use. No doubt, the captain in question had written to the Scotch papers to explain that he saw that a steam tug was already on the spot, and also that some hours afterwards he did return; but neither of those excuses ought, in his (the Marquess of Lothian's) opinion to be entertained. It was not unlikely, however, that if this captain did return he might claim compensation for the time passed; but he trusted no compensation would be allowed to him. He thought it desirable to bring under public notice the conduct of captains of ships not rendering assistance in case of distress.

The Earl of NORTHBROOK said, that he joined with the noble Duke (the Duke of Marlborough) in deploring the loss of one of Her Majesty's ships; and he agreed that no pains should be spared to ascertain the circumstances connected with the occurrence. He was, however, in a position of considerable difficulty; because, when one of Her Majesty's ships was lost, a court martial to inquire into the circumstances of the loss was held, and one would be held in this case. The Report would come before the Board of Admiralty; and accordingly it was quite impossible for him to refer in any way in that House to the circumstances of the loss of the *Lively*, or to the responsibility of the officer in command of it. Their Lordships would, therefore, excuse him if he did not enter into any of these questions. He was obliged to the noble Marquess (the Marquess of Lothian) for the information he had communicated. If he were to answer the first Question of the noble Duke strictly, he would say that no representation of any kind had been made to the Admiralty with regard to the Hen and Chickens Rock. In 1869, however, the officer surveying those parts of the Coast suggested that a beacon or buoy should be placed over the sunken rock, and the Commissioners of Northern Lights recommended that this should be done; but the Elder Brethren of the Trinity House, who had a consultative voice in these matters, were of opinion that a very good clearing mark was given in the Admiralty directions, and they did not see that the proposal was necessary. No further representations had been made since 1869. With respect to the Question whether similar representations had been at any time made with reference to the North Shoal, off the West Coast of the Orkneys, he had to say that no representation whatever had been made to the Admiralty with regard to it. The Hydrographer to the Navy who was the authority whom the Board of Admiralty consulted in these matters, reported to the Board that the shoal was 7 feet under water; and, in his opinion, no buoy would stand in such an exposed position; and the danger, moreover, was out of the general track of navigation. In 1876 the Commissioners of Supply for Orkney made a representation to the Board of Trade that there were 44 rocks and shoals around the Islands which were not marked by either buoys or beacons. The Memorial was referred to the Commissioners of Northern Lights, who advised that a few lights were required; but the North Shoal was not among those so recommended. There was no objection to the Correspondence being produced. Their Lordships were probably aware that the Board of Admiralty were not responsible for the lighting of the Coasts. The Board of Trade was the authority dealing with such matters, acting under the advice of the Commissioners of Northern Lights and the Elder Brethren of the Trinity House.

THE DUKE OF SOMERSET suggested that the danger from the rock on which the *Lively* stranded might be obviated by blowing up the rock with dynamite, and that its destruction would be a merciful purpose, to which a little dynamite could be applied.

Motion *agreed to.*

Correspondence *ordered* to be laid before the House.

LAW AND JUSTICE (ENGLAND AND WALES)—ASSIZES AND QUARTER SESSIONS.—QUESTION.

THE EARL OF POWIS called attention to the inconvenience which arises from certain Assizes having been fixed by the judges for the days on which the quarter sessions are by statute required to be held; and asked whether it will be necessary to hold sessions for the trial of prisoners in the same week as that in which assize gaol delivery has taken place?

LORD COLERIDGE said, he might explain that the inconveniences to which the noble Earl referred would only occur in three counties—namely, Montgomeryshire, Buckinghamshire, and Berkshire. The fact that certain Assizes had been fixed for Quarter Session day in those counties was due to pure inadvertence; and he need not say that the Judges would be the last to inflict any needless inconvenience on country gentlemen. In ordinary years, moreover, it would not have occurred. The learned Judges who were to attend the Assizes in the counties in question had expressed their willingness to try all the prisoners committed for trial to the Quarter Sessions, or, if it would be more convenient to the magistrates, to postpone the commission day for one day. The Judges would thus either perform the duties of the magistrates, or allow those gentlemen to do their own duties without interference. He would take care that for the future the Judges should be reminded, when the Circuits were selected, that the days for the commencement of the Assizes must be so fixed as not to conflict with the Quarter Sessions. In answer to the second part of the noble Earl's Notice, he had to say that the days for the holding of Quarter Sessions were fixed by Act of Parliament. He feared, therefore, that the Court of Quarter Sessions for Montgomeryshire, to which his noble Friend specially referred, must meet as usual on the chance of there being some business, such as a presentment, to transact. The difficulty which the noble Earl wished to see obviated would only occur in the two or three counties where the Judges began their Circuits.

MUNICIPAL CORPORATIONS (UNREFORMED) BILL—INQUIRY FEES.

QUESTION. OBSERVATIONS.

LORD HENNIKER, in rising to ask Her Majesty's Government, Whether they have considered the question of the large fees to be paid to the Treasury by the boroughs mentioned in the First Schedule of the Municipal Corporations (Unreformed) Bill, with the view of relieving these corporations of a heavy charge? said, he hoped the Government would be able to give him a reply to a Question he asked of the noble Earl who had charge of the Municipal Corporations (Unreformed) Bill, when he presented a Petition, a few days ago, from the borough of Aldeburgh. Aldeburgh was one of those boroughs which were included in the First Schedule of the Bill, as boroughs which should be retained. It would be a great strain on their resources to make them pay a large sum for Treasury fees. This would not be so hard were the boroughs only now to be incorporated. As it was, they were only to be reformed; and all they had to spare in the way of funds would be required for placing the new machinery in working order. This borough, like the other boroughs in the same category, merely asked for an act of justice—that an Act of Parliament might be passed to place them under the Municipal Corporations Consolidation Act, 1882, without the necessity of applying for a new Charter. Perhaps the noble Lord would state whether Her Majesty's Government could deal specially with such cases?

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that the new Charters would be prepared by the Privy Council. He had been in communication with the Treasury on the subject; and it had been decided that the towns to which the Question of the noble Lord referred should be exempted from the expense of the fees which his noble Friend feared they would have to incur.

CONTAGIOUS DISEASES (ANIMALS) ACT —ORDERS OF THE PRIVY COUNCIL.

QUESTION. OBSERVATIONS.

LORD HENNIKER, in rising to call the attention of the House to the Orders of the Privy Council under the Contagious Diseases (Animals) Act; and to ask, Whether these Orders can be published from time to time in a consolidated form? said, he had taken it upon himself to place this Notice on the Paper, as he had had some little experience as Chairman of the Executive Committee under this Act in the county in which he lived for several years past; and he had had special means of knowing how the Act worked, as they had had more than one severe outbreak of disease during the last few years. The other day the noble Duke (the Duke of Richmond and Gordon) called attention to the importation of disease. He did not intend to enter into that question; but he mentioned it, as he thought, while fresh regulations were desired, that they should not neglect to use the powers they already had with the greatest effect possible. Two or three years ago he noticed that it was not so difficult as it had been this last year to make all concerned understand what the law was; but there were now such a mass of Orders put forth that it was difficult for anyone who carefully followed the action of the Privy Council to keep pace with these constant changes; and, for those who were determined not to understand, it was very easy to make excuses and to puzzle others. The great difficulty they had had was to make dealers in cattle conform to the regulations; and in the last two outbreaks of foot-and-mouth disease they had kept the disease alive when the district would have been free long before it was so. These dealers, during the last outbreak, actually got up a correspondence in the newspapers, declared the regulations were impossible to understand,

and, of course, placed great difficulties in the way of the local authority. Of course, this was overcome; and, after a time, every regulation was in good working order. Hardly, however, was this the case, when down came a fresh Order, and undid all the good effect of what had been done. He would only quote two instances to show what he meant. An Order was passed some time ago—still, he was glad to say, in force—which allowed local authorities to close their district against other authorities. This was a most useful Order while all markets were closed, and dealt effectually with the dealers. This last year they had put this Order in full force in Suffolk, and the county had been rapidly cleared of disease—so much so that, if these restrictions could have been kept in force about a fortnight longer than they were, it was the opinion of the most practical men in the district that the disease would have been stamped out. However, the markets were opened by the Privy Council, and it was of no further use to continue the restrictions of the local authority. The disease broke out afresh, of course, and although, happily, not to a large extent, was still in the district. It might be said that the Order in Council now in force gave local authorities power to deal with markets. So it did; but the Order was not in existence at the time he had mentioned; and he did not think it would be so effectual, where there were several local authorities in one county, as the action of the Privy Council. Be that as it might, these constant changes did not do good, and tended to puzzle all concerned, and to defeat the action of the local authorities. He would give another case. An Order was put forth a short time ago to allow local authorities to grant licences for markets in their districts where disease existed within their district. Hardly had this been placed in working order when it was cancelled by a fresh one, altering the terms of the power of the local authority. Probably the Privy Council were right in their last Orders; but why should such constant changes be made? It handicapped the local authorities, on whose action, in carrying out the Orders strictly, so much depended, and really gave an excuse to those who wished to evade the law. Of course, he was quite aware that it was desirable that the Government should have powers, and so use them as to deal with special emergencies; but in order to support the local authorities throughout the country, and, in fact, to carry out the law properly, it was most important that the Orders should be changed as seldom as possible, and that some Code of Regulations should be published—say twice a year—of all the Orders in force, so that no one might have a shadow of a foundation for saying he could not understand the regulations in force.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he knew very few Members of that House better entitled from experience to give an opinion on this subject than the noble Lord. He quite agreed with the substance and the object of the remarks they had just heard. But he was not prepared to admit that the multiplicity of Orders which the noble Lord had described could have been avoided, under the circumstances of this country. It had been caused by the variety of the circumstances with which they had to deal, and partly by the increase of experience as time went on. But he was bound to say that he sympathized with the noble Lord in his struggles with the Orders as they now stood; and he was able to tell him that the Privy Council felt that the time had come when an effort ought to be made to simplify and consolidate them. He was glad to say that from the much more self-acting character of the Orders as they now stood, in consequence of some recent changes, the Privy Council hoped that the Orders in future would be more easily carried out. They were of opinion that the time had come when the process desired by the noble Lord should take place, and they were now at work upon a consolidation of the Orders. That was a work which had to be done with great care and accuracy, and it would take a little time; but it was going on as fast as possible. The Orders would be consolidated into two sets, one containing the regulations with regard to home animals, and the other the regulations relating to foreign animals. He hoped when those consolidated Orders appeared they would fully meet the views of the noble Lord.

THE MARQUESS OF LOTHIAN wished to suggest whether it would not be possible at some of the ports that something in the nature of a quarantine should be established. He was perfectly certain that the future of the agricultural interest in this country depended very much upon the safeguards taken with respect to the foreign cattle which came here. It was greatly to be deprecated that foreign cattle should be allowed to enter wholesale. The subject was beset with so many difficulties that his suggestion might prove unworkable, but he gave it for what it was worth; and hoped the authorities would remember how greatly the prosperity of British agriculture depended on the exclusion of diseased cattle.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 21*st June*, 1883.

MINUTES.]—Public Bills—*First Reading*—Naval Discipline and Enlistment Acts Amendment * [241]; Representative Peers (Scotland) * [242].

Second Reading— Railway Passenger Duty, &c. [219]; Turnpike Acts Continuance * [231]; Yorkshire Register Acts Amendment * [221].

Committee— Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Seventh Night*] —R.P.

Committee—Report— Labourers (Ireland) [29-240].

Considered as amended—Local Government Provisional Orders (No. 6) * [195]; Local Government Provisional Orders (No. 8) * [199].

Third Reading— Inclosure Provisional Order (Hildersham) * [209]; Land Drainage Provisional Order (No. 2) * [210]; Local Government Provisional Order (No. 10) * [206]; Metropolis Improvement Provisional Order * [173]; Metropolis Improvement Provisional Order (No. 2) * [174]; Metropolis Improvement Provisional Order (No. 3) * [175]; Metropolis Improvement Provisional Order (No. 4) * [214].

Withdrawn—Sea and Coast Fisheries Fund (Ireland) * [116].

QUESTIONS.

POST OFFICE—OVERHEAD TELEGRAPH AND TELEPHONE WIRES.

Mr. STUART-WORTLEY asked the Postmaster General, Whether it is the fact that overhead telegraph and telephone wires are in some cases stretched across streets, not only by Her Majesty's Post Office, but also by persons not empowered to do so, either by Act of Parliament or by any licence from the public bodies in whom is vested the soil of the street across which such wires are stretched; whether there exist any means of ascertaining the number of overhead wires in the Metropolis which belong to private owners or companies which have ceased to use them, or for other reasons have ceased to keep them in repair; and, whether it may not be the case that there is an increasing number of overhead wires, of which the owners cannot be identified, which are practically abandoned, and which are daily falling more and more out of repair, and becoming more dangerous to the public?

Mr. FAWCETT: I have carefully considered the hon. Member's Question, and I have come to the conclusion that it would be beyond the province of the Post Office to inquire into the circumstances under which wires not belonging to it have been erected, or to take any steps to ascertain the condition of such wires, except in so far as they may interfere with the due maintenance of the wires of the Department.

CONTAGIOUS DISEASES (ANIMALS) ACT —ORDERS OF THE PRIVY COUNCIL.

Mr. R. H. PAGET asked the Chancellor of the Duchy of Lancaster, If he will be good enough to state to the House whether there is any sufficient reason why the very numerous Orders of Council, relating to the Contagious Diseases (Animals) Act, which have been issued since the Animals Order of 15th December 1879, should not now be codified and re-issued as one New Order of Council?

Mr. DODSON, in reply, said, that the codification of the Orders in Council was proceeding as rapidly as possible. It would, however, necessarily take some time, because it would have to be done with great care; and it might be found more convenient to have two Orders, one relating to home and the other to foreign animals.

INDIA OFFICE—PERMANENT UNDER SECRETARY OF STATE—APPOINTMENT OF MR. GODLEY.

Lord GEORGE HAMILTON asked the Under Secretary of State for India, When Mr. Godley, the future permanent Under Secretary of State for India, entered the Civil Service, and what appointments he has since held; and, if he would state the names of those who, since the creation of that office in 1858, have been appointed to it, and the length of service and the position occupied by them at the date of their appointment?

Colonel NOLAN also asked the Under Secretary of State for India, If his official position is next to that of the Secretary of State for India; and, if it is superior to that of all other Indian Secretaries; and, if his present office has at any time been occupied by a gentleman who, at the date of his appointment, had not attained the age now reached by Mr. Godley?

Mr. J. K. CROSS: In reply to the noble Lord, I have to say that Mr. Godley was Private Secretary to the First Lord of the Treasury from 1872 to 1874, and again from 1880 till July 1882, when he was appointed a Commissioner of Inland Revenue. On the creation of the Indian Office in 1858, Sir George Clerk, one of the Secretaries to the Board of Control, who had entered the Bengal Civil Service in 1817, was appointed Permanent Under Secretary of State. He resigned in 1860, and was succeeded by Mr. Merivale, who, without any previous experience in the Civil Service, had been appointed in 1847 Permanent Under Secretary of State for the Colonies. Upon his death, in 1874, he was succeeded by Sir Louis Malet, who entered the Audit Office in 1839, was transferred to the Board of Trade in 1847, where he continued to serve till 1872, when he was appointed a Member of the Council of India. My hon. and gallant Friend asks me two very delicate Questions. He asks me about my own official position, and the relative ages of other gentlemen. For myself, I can only say that though my official position is, in common with that of the Permanent Under Secretary, next to the Secretary of State, it is by no means superior to that of all other Indian Secretaries. My Colleague, the Permanent Under Secretary, is absolved from the duty of answering Questions in the House of Commons. I hope my hon. and gallant Friend will not think me discourteous if I decline to enter into the delicate question of the ages of my Predecessors in title and occupation.

THE PARKS (METROPOLIS)—THE REGENT'S PARK.

Mr. D. GRANT asked the First Commissioner of Works, Whether any arrangement has been arrived at with respect to the inclosure in Regent's Park; and, if so, whether he will state the same to the House?

Mr. SHAW LEFEVRE: I am sorry I am not able to answer the hon. Member's Question at present. The arrangements have not been finally completed; but I hope they will be before long, and I shall then make a statement to the House.

Mr. ASHMEAD-BARTLETT: Does the right hon. Gentleman propose to make any arrangement for compensating the owners of the property which will be depreciated if this inclosure is thrown open?

Mr. SHAW LEFEVRE: No; certainly not.

WESTERN ISLANDS OF THE PACIFIC —AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND.

Sir MICHAEL HICKS-BEACH asked the Under Secretary of State for the Colonies, When the Despatch from the Governor of Queensland with respect to the annexation of New Guinea will be in the hands of Members; whether he can now inform the House of the decision of Her Majesty's Government on the subject; and, whether the recent Correspondence with other Australasian Colonies, with respect to the annexation of certain other islands in the Pacific, will be presented to Parliament?

Mr. EVELYN ASHLEY: The despatch from the Governor of Queensland will be given to the House next week, together with other Papers on the subject. The Correspondence with the other Australasian Colonies as to certain Islands in the Pacific will also shortly be given to Parliament. As to the main portion of the right hon. Gentleman's Question, I regret that I cannot say anything more definite than I said last week. The question is a large one, and involves many considerations and inquiries; but I hope that shortly the

House will be placed in possession of the views of Her Majesty's Government, as they propose laying on the Table the despatch which will be sent in reply to that of the Governor of Queensland.

Sir MICHAEL HICKS-BEACH: The telegram from the Governor of Queensland on the subject was received as long ago as the 10th of April; and Her Majesty's Government have been, therefore, some little time in making up their minds. I hope we may know next week what they propose to do.

NAVY—OFFICERS OF THE STEAM RESERVE.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether Her Majesty's Government will consider the propriety of giving to the Officers of the Steam Reserve at naval stations either lodgings or lodging money as was formerly done?

Mr. CAMPBELL - BANNERMAN: Lodging money is payable only to officers unprovided with accommodation on board ship, and is, therefore, not issuable to officers of the Steam Reserve, who are entitled to such accommodation. Upwards of 10 years ago, by an oversight, this allowance was drawn by some officers of the Steam Reserve; but as soon as attention was called to the circumstance orders were given that its issue to them should cease.

Sir H. DRUMMOND WOLFF: Is the hon. Gentleman aware that though there are over 100 officers of the Steam Reserve at Portsmouth, lodgings are only provided on board the *Asia* for four?

Mr. CAMPBELL - BANNERMAN: I am not aware what the accommodation is; at the same time, I know of no case of an officer having applied for accommodation and of its being refused.

INDIA—MARINE SURVEY OF INDIA.

Lord GEORGE HAMILTON asked the Under Secretary of State for India, If it is the intention of the Indian Government to continue the Marine Survey or charting of their coasts on a scientific basis, as afforded by the data of the Grand Trigonometrical Survey; and, whether a report, dated May 18th, 1882, made by a Post Captain in the Royal Navy, at that time the Director of Indian Marine, relative to the position, pay, and employment of specially trained Royal Naval Officers for this work, since approved by the Admiralty, is to be adopted?

Mr. J. K. CROSS: In reply to the second part of the Question of the noble Lord, I have to state that the proposals contained in the Report of the then Director of Indian Marine, dated May 18, 1882, have been generally accepted by the Government of India, and, having been concurred in by the Lords of the Admiralty, have been approved by the Secretary of State in Council, except as regards two minor points—the precise disciplinary regulations under which the Investigator sails, and the relation of the naval officers to Indian Government officials, on which, at the desire of the Admiralty, the Government of India have been asked for more definite information. As regards the first part of the Question, the recommendations of the Director—which have been approved—were that systematic surveys of the coasts of India should be carried on by the Marine Survey of India, and that they should make use, when available, of the points already fixed by the Grand Trigonometrical Survey; but that the preparation of the charts from the surveys of the Department should, for the future, be undertaken in the Hydrographer's Department at the Admiralty, the preparation of charts at Calcutta being discontinued.

INDIA—THE LATE MAHARAJAH OF TANJORE.

Mr. MACFARLANE asked the Under Secretary of State for India, If it is true that the mother of the late Maharajah of Tanjore enjoyed during her life an hereditary pension of 16,800 rupees per annum, and that, upon the death of that lady, Mr. Kavanagh, as counsel for her surviving relative, memorialized the Government of India for the continuance of the said hereditary pension to the said relative, and that the Government rejected this Petition without assigning any reason?

Mr. J. K. CROSS: The facts of the case to which it is believed the Question of the hon. Member refers are as follows. The mother of the late Maharajah of Tanjore enjoyed a pension of 1,400 rupees a month. No portion of this pension was heritable as a matter of course; but one-half of it might, in certain circumstances and at the discretion of Government, be continued after the death of the original grantee to her surviving relatives. The lady died in 1864, and no question was raised as to continuance of any part of the pension to anybody until 1877, when her sole surviving daughter, herself in receipt of a pension of 281 rupees a month, preferred a claim to a moiety of it. This claim was, in the first instance, under a misapprehension of the rules applicable to the case, admitted by the Government of Madras; but it was disallowed by the Government of India, who eventually sanctioned the grant of a lump sum of 30,000 rupees, and an increase of 350 rupees a month to the pension previously enjoyed by this lady. A Memorial from her against this decision was, in 1881, sent home by the Government of India to the Secretary of State in Council, by whom it was rejected after full consideration. The case having thus been finally disposed of, the Government of India would, no doubt, decline to consider any further Memorials in regard to it; but I am not aware whether, in fact, their action has been as stated in the hon. Member's Question.

OPEN SPACES (METROPOLIS)—WASTE LAND AT WEST BROMPTON.

Mr. ST. AUBYN asked the Secretary of State for the Home Department, If he is aware that there is a large triangular-shaped piece of land lying waste between the lines of the West London and District Railways, bounded on the west by the West London Railway, and the other two sides by the back of Philbeach Gardens and Eardley Crescent, terminating at West Brompton Railway Station, on which games and many kinds of noisy nuisances take place every Sunday; and, whether, inasmuch as the land is the property of the District Railway Company, and not under police control, he will take steps to ensure the decent observance of the Sabbath, and the comfort of the people living in the immediate neighbourhood?

Sir WILLIAM HARCOURT, in reply, said, this seemed to be a piece of private ground; and, of course, it was impossible to interfere with private owners. He had inquired of the police, and from what he had heard he did not think there was anything seriously amiss at the place in question. Probably it was the fact that children played there, and that they did make a noise; but he had not the power—and he was not sure that he had the wish—to deprive the children of a playground which fortune might have thrown in their way.

ANNAM—FRENCH MILITARY EXPEDITION.

Baron HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any confirmation of the statement, made by the Paris correspondent of the "Times," that M. Tricou, the new French Minister to China, had told the Viceroy at Shanghai that the French officers "have had instructions to shoot any Chinaman taken in arms in the Annamite ranks;" and, whether, seeing that Annam is under the protectorate of China, such a proceeding would not be a violation of International Law; and, if so, whether friendly representations have been or will be made by Her Majesty's Government to France in the interest of peace between that Power and China, with a view to the withdrawal of the instructions referred to?

Lord EDMOND FITZMAURICE: No, Sir; no confirmation of the statement has reached Her Majesty's Government, and there has been no question of making representations to France on the subject.

CROWN LANDS BILL — COMMON-RIGHTS IN THE NEW FOREST.

Mr. STORY-MASKELYNE asked the Secretary to the Treasury, Whether he will state what grounds exist for a limitation to particular portions of the New Forest of the area for supplying wood to satisfy the fuel-rights of the Commoners; whether, if the satisfying those fuel-rights by cutting the 376 cords of wood needed for the purpose from that limited area could be shown to be injurious, the immense amount of thinnings from the more recently planted portions of the 25,000 acres of plantations in the Forest might not be made available without touching the 5,000 acres of ornamental timber; whether the Committee to which the Crown Lands Bill was referred were informed that the compulsory powers contained in that Bill had not been communicated, and were a surprise to the Commoners interested, that the Commoners were almost unanimously opposed to those powers and were not prepared from the shortness of notice to state their case fully before the Committee; and, whether, therefore, he will consent to the Bill being re-committed to the said Committee?

Mr. COURTNEY: A succession of Acts have declared that the Crown reserves in the New Forest are not liable to fuel or other common-rights, and this is embodied in the awards of the Commissioners of 1857, and in the Act of 1877. These rights are, therefore, confined to the parts of the Forest outside the Crown inclosures. The thinnings of the Crown plantations are the property of the nation, and it would be a pure gift to divert them to the uses of a few local gentry. As regards the latter part of the Question, I have to say that the compulsory powers contained in the Bill were duly advertised as required by the Standing Orders of this House, and that there was a considerable time before the Bill went to the Committee. I have reason to know that it is not true that the Commoners almost unanimously, or even the major part of the interests affected, are opposed to the scheme of compulsory commutation. I do not think that any useful purpose could be served by re-committing the Bill to the Select Committee.

INDUSTRIAL SCHOOLS AND REFORMATORIES—THE REPORTS.

Sir EARDLEY WILMOT asked the Secretary of State for the Home Department, When the Report of the Managers of Reformatory and Industrial Schools will be laid upon the Table of the House?

Sir WILLIAM HARCOURT, in reply, said, that this Report had been for some time in the hands of the printers. He did not know why it had not yet been presented to Parliament.

Mr. BUXTON (for Mr. Richardson) asked the Secretary of State for the Home Department, If he is in a position to state when the Report of the Royal Commission upon Industrial Schools and Reformatories will be presented to Parliament?

Sir WILLIAM HARCOURT: This Report will, I hope, be presented before the end of the Session.

NATIONAL EDUCATION (IRELAND)—RETIREMENTS.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there are in the direct service of the Commissioners of National Education in Ireland any persons of sixty-five years of age or upwards; and, if so, how many of these are in the Education Office, Marlborough Street; how many are head or district inspectors of National Schools; and, whether there is any rule that such officials should retire at a stated age, as in the case of the school teachers connected with the same Board?

Mr. TREVELYAN: The Commissioners of National Education inform me that there at present 13 persons in their direct employment who are 65 years of age, or upwards. Of these, one is a clerk in their Office; two are District Inspectors; one is a Head Inspector; and the remaining nine are male teachers. There are also 14 female teachers above the age of 60. There is no rule that the officials of the Board, such as Inspectors or clerks, shall retire at 65 years of age. As a matter of course, they would not be continued in the service at that or any other age, if unfit for duty. A teacher also may be continued beyond the age of 65, if he makes a claim to that effect, and if the Commissioners are of opinion that his continuance would serve the interests of education.

INDUSTRIAL SCHOOLS (IRELAND)—GRANTS.

Mr. BUXTON (for Mr. Richardson) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state how many grants have been made to Industrial Schools in Ireland since the 1st of January last; and, whether grants are made to suitable institutions according to priority of application; and, if not, upon what principle are such grants awarded?

Mr. TREVELYAN: No fresh certificates have been granted since the 1st of January last. In one case, an extension of the number of inmates has been allowed in fulfilment of a promise previously made. Grants to suitable institutions are not made according to priority of application. All the circumstances of each case are considered before a decision is arrived at.

THE CENSUS, 1881 (SCOTLAND).

MR. BUCHANAN asked the Lord Advocate, When the concluding volume of the Census of Scotland will be published; and, whether the delay that has taken place has been due to the deficiency of the Scottish Staff as compared with that employed on the compilation of the Census of other parts of the United Kingdom?

THE LORD ADVOCATE (Mr. J. B. BALFOUR): The concluding volume of the Census of Scotland will probably be completed by the end of next month, and it will then have been completed in a much shorter time than the Census of 1871 or the Census of 1861. I cannot say that delay has taken place owing to the deficiency of the Scotch staff, who have discharged their duties with zeal and ability. I understand that the Register Office would not accommodate a larger staff.

CHILI AND PERU—ALLEGED TREATY OF PEACE.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether the Government of Chili have avowed the intention of annexing the Peruvian province of Tarapaca; and, if so, what steps Her Majesty's Government will take to secure the deposits of guano and nitrate, which have been mortgaged by Peru to British subjects?

LORD EDMOND FITZMAURICE: The terms of the agreement stated to have been concluded between the Chilians and General Yglesias have not been officially reported to Her Majesty's Government; but it is understood that it includes the cession of Tarapaca, as well as an arrangement between Chili and the foreign holders of Peruvian Bonds, under which 50 per cent of the net produce of the sale of guano is to be assigned to the latter. This arrangement, it is stated, will form one of the Articles of the Treaty of Peace, so as to guarantee its faithful execution.

SOUTH AFRICA—ZULULAND—MURDER OF A MISSIONARY.

SIR HENRY HOLLAND asked the Under Secretary of State for the Colonies, Whether he can give the House any information as to the alleged murder of a missionary in Zululand and the disappearance of Mr. Herbert Nunn; and, whether Her Majesty's Government still decline to take any steps to restore order in that country?

MR. EVELYN ASHLEY: The only information which we have about the murder of a Missionary is the following telegram received from Sir Henry Bulwer on the 17th instant:—

> "The Missionary Schröeder has been murdered, but by whom it is uncertain."

As to Mr. Herbert Nunn, he is what you may call one of the White *aides-de-camp*, which the different Chiefs usually have with them. He is with the Chief Oham; but we have no official information as to his being murdered. As to the second part of the Question, I would point out to the right hon. Gentleman that the principal cause of the disturbances at this moment in Zululand is the refusal of Oham either to come into the reserve territory or to submit to Cetewayo, he being in the territory of Cetewayo, and lawfully subject to him. Her Majesty's Government have never claimed or sought to enforce a protection over Zululand proper, and their policy in that respect remains unaltered; but they will be ready to take all measures necessary for the security of the Colony and the peace of the Frontier.

LORD RANDOLPH CHURCHILL asked whether the hon. Gentleman now unreservedly withdrew the statement made by him some time ago, that the disturbances were owing to the action of Cetewayo?

MR. EVELYN ASHLEY said, the noble Lord was under a misapprehension. He was referring at that time to Usiebebu, but now to the Chief Oham.

SIR MICHAEL HICKS-BEACH: Can the hon. Gentleman say if Mr. Flynn is still with Cetewayo, or whether a successor has been appointed?

MR. EVELYN ASHLEY: He is still with Cetewayo; and Sir Henry Bulwer has sent a gentleman named Davey to assist him while the appointment of a successor is being considered.

TRUSTEES IN BANKRUPTCY—STATEMENT OF MR. DANIEL, Q.C., COUNTY COURT JUDGE, LEEDS DISTRICT.

MR. COLERIDGE KENNARD asked the President of the Board of Trade, Whether his attention has been called to a statement of Mr. Daniel, Q.C., Judge of the Leeds County Court, that the allegation of the Right honourable Gentleman, that "the great majority of bankruptcy trustees appointed heretofore were little better than swindlers" was "a calumnious libel," so far at least as the three important courts over which that judge presides are concerned; and, whether, in view of such a statement from the Bench, he will offer any explanation of his severe strictures upon bankruptcy trustees?

MR. CHAMBERLAIN: My attention has been called to the statement made by the Judge of the County Court of Leeds; and I must express my regret that any person occupying a judicial capacity should have thought it his duty to use such very strong language on the faith of a report which he had not taken the trouble to verify. The only explanation I have to give is that the report is altogether inaccurate, and that I said nothing of the kind. What I have said, both in the Committee and elsewhere, is that the Reports of the Controller General in Bankruptcy show that many of the persons who accept the office of trustee in Bankruptcy have been little better than swindlers, and that if they were called upon to pay up they would probably have to leave the country. That is a statement which I have made on the authority of the Controller General in Bankruptcy; and that is a statement which anybody who knows anything of the subject can easily confirm.

POST OFFICE SAVINGS BANK—THE NEW BUILDING.

MR. COLERIDGE KENNARD asked the Postmaster General, Whether the new premises, which it was stated would be ready for occupation by the Post Office Savings Banks in April, are yet open; and, if not, whether he can specify the causes which occasion delay?

MR. FAWCETT, in reply, said, there had been some unexpected legal difficulties in obtaining possession of this property. The workmen were now engaged on it, and he hoped it would soon be ready for occupation—perhaps at the end of a month.

CEYLON—NATIVE MAGISTRATES.

MR. O'DONNELL asked the Under Secretary of State for India, Whether Native magistrates in Ceylon are subject to any disqualification in the case of the trial of European offenders; and, whether any complaints have been made against the exercise of full magisterial powers by Natives in Ceylon?

MR. EVELYN ASHLEY asked to be allowed to answer this Question, as it concerned the Colonial Office. He said: The answer to both the Questions is in the negative. I may add that in Ceylon there is a Native Judge of the Supreme Court, and Native Magistrates who judge all cases of Europeans as well as Natives—the Criminal Law recognizing no distinction of race.

INDIAN POSSESSIONS OF FRANCE—DISQUALIFICATION OF NATIVES.

MR. O'DONNELL asked the Under Secretary of State for India, Whether Natives of the Indian possessions of France are under any disqualifications in consequence of race as compared with other French citizens?

MR. J. K. CROSS: For a reply to this Question, I can only refer the hon. Member for Dungarvan to the French Colonial Minister.

MR. O'DONNELL: Might I ask the hon. Member whether, before I do that, he will be so kind as to consult the Foreign Department of the English Government?

[No reply was given.]

MR. O'DONNELL said, he should put the Question again.

COOLIES (INDIA)—LICENCES ON LABOURERS.

MR. O'DONNELL asked the Under Secretary of State for India, If the Home Government has approved the imposition of a licence upon Indian workers for hire and labourers by the job, such as porters, charwomen, &c. as a condition of their being allowed to earn their living?

MR. J. K. CROSS: The Question of the hon. Member may, perhaps, refer to an Act recently passed by the Council of the Lieutenant Governor of Bengal, for the registration and control of porters and "Dandywallahs" in the Darjeeling and Kurseong Municipalities. The object of the Bill is to regulate the conditions under which porters and carriers may work for hire in these hill towns, in which ordinary carts and carriages are not available. The Governor General has given his assent to the

Act, which has just reached the India Office.

THE NATIONAL DEBT—REDUCTION OF INTEREST.

Mr. CREYKE asked Mr. Chancellor of the Exchequer, If Her Majesty's Government have any intention during the existing Parliament of making any changes involving a diminution in the rate of interest payable on the National Debt?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): My hon. Friend asks me to state what course on a particular subject Her Majesty's Government will take, possibly some Sessions hence, under circumstances which have not arisen. I am afraid that I can give no answer to such a Question.

PUBLIC DEPARTMENTS—WAR OFFICE SUPPLEMENTARY CLERKS.

Viscount LEWISHAM asked Mr. Chancellor of the Exchequer, Whether it is a fact that, whilst he was Secretary of State for War, he recommended that supplementary clerks of the War Office be granted a larger annual increment of pay, with a maximum of £400 a-year; and, that, since he has accepted the post of Chancellor of the Exchequer, his own recommendation has been forwarded to the Treasury, and been refused by that Department?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): With reference to the noble Viscount's second Question, he is, doubtless, not aware that in matters of this kind it is not usual to state what passes between the Treasury and the Department concerned. However, as a matter of fact, I may say, as to his first Question, that while I was Secretary of State for War I made no recommendation upon this subject to the Treasury.

Viscount LEWISHAM asked the Secretary of State for War, Whether there is any reason why the supplementary clerks at the War Office should not be placed upon the Higher Division of the Civil Service, in the same manner as the clerks in other offices who were appointed at the same time, after passing the same examination?

The Marquess of HARTINGTON: In the year 1871 the War Office was divided into a higher and a lower establishment, for each of which there was a distinct examination. The supplementary clerks competed at examinations which gave admission either to clerkships in some other Offices, or to supplementary clerkships in the War Office, but did not give admission to the higher clerkships in the War Office. No expectation was held out to them that they would at any time be eligible for promotion to the higher establishment. I have no knowledge of the alleged promotion of clerks in other Offices, who were on a similar footing to the supplementary clerks of the War Office, to the Higher Division of the Civil Service; but I will look into the matter in communication with the Treasury.

Mr. ARTHUR O'CONNOR asked whether a Memorial from these clerks had not been forwarded to the Secretary of State more than two months ago; and whether the Government had made up its mind what course to pursue in regard to it?

The Marquess of HARTINGTON said, this Memorial was received more than two months since; but it did not refer to the point raised by the noble Viscount.

NATIONAL EDUCATION (IRELAND)—CLENOR MALE NATIONAL SCHOOL.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in consequence of the destruction by fire of the Clenor Male National School, county Cork, including the records of attendances of the pupils, no results' examinations have been held this year, and no results' fees paid; and, whether, under the circumstances, he will consider the advisability of recommending the Commissioners of National Education to relax the strict rule requiring the individual attendances of each pupil to be set forth, and to comply with the application of the manager of the school, the Rev. R. Ahern, for the payment of results' fees for the number pointed out by the teacher as having given the minimum number of attendances?

Mr. TREVELYAN: The Commissioners of National Education inform me that they could not pay result fees except upon satisfactory evidence of the attendance of the pupils, and that, in the case of the Clenor School, such evidence has not been produced. The practice of the Board in all such cases is invariably the same. The matter is one which must rest with them for decision; but I will communicate with the Board again, with the view of ascertaining whether, if the difficulty is caused solely by the accidental destruction of the school records by fire, there is any means by which it can be overcome.

LAW AND POLICE — CALNE MAGISTRATES—CASE OF THOMAS SMART.

Mr. JESSE COLLINGS asked the Secretary of State for the Home Department, If his attention has been called to a Report in the "Wiltshire Times" of the following case, tried at Calne Petty Sessions: — Thomas Smart, an agricultural labourer, was summoned by his employer, a farmer named C. A. Tanner, for absenting himself from work without leave. Smart had been working for Prosecutor since Michaelmas last for 10*s*. per week, out of which 1*s*. per week was deducted for rent. Plaintiff, though he could prove no damage, yet claimed £1 on the ground that it was the custom of the county to claim damages when a man absented himself without notice. Defendant swore that before leaving he told his employer that unless he received an advance in wages he should leave his service. The advance being refused, Defendant absented himsented himself on the following Monday to go to Swindon to get hired, and returned on the following day. Plaintiff told him he would summon him for leaving his service without notice, and also for shooting rabbits on his land. The Bench held that it was not necessary for the employer to show that he had sustained any damage, and they inflicted a fine of 5*s*. as the amount of damage, and 5*s*. costs. The Defendant was further charged by his late employer, C. A. Tanner, with killing two rabbits on his land on the 1st of April last. The Defendant had hitherto borne a good character, and had not been before the magistrates previously. The Chairman fined Defendant 2*s*. 6*d*. with 7*s*. 6*d*. costs, to be paid fortnightly at the expiration of his other payments; and, whether he, having regard to the good character of Defendant and the general circumstances of the case, will take some steps to secure a mitigation of the punishment?

Sir WILLIAM HARCOURT, in reply, said, he had no authority over the decision of the Justices with respect to the charge of absence from work; but with regard to the killing of rabbits, it was quite clear that a man who killed them, having no right to do so, was punishable. He had often expressed his opinion to the Justices that it was undesirable to impose small fines with large costs, and he was constantly making representations to that effect. All he could say was that he hoped in future magistrates would give effect to the excellent provision in the Summary Jurisdiction Act, which enabled fines to be paid by instalments.

PUBLIC HEALTH—SANITARY CONDITION OF SOMERSET HOUSE.

Lord GEORGE HAMILTON asked Mr. Chancellor of the Exchequer, If he will direct that the Report of Dr. Rawlinson, made to the Board of Inland Revenue after his inspection of the office occupied by the Legacy Duty Department in 1880, be printed and laid upon the Table of the House; and, if he will undertake that this Report, as well as the Report from the Medical Officer to the Inland Revenue Office, will be referred to in connection with any application to the Treasury made by gentlemen in the Legacy Duty Office on account of injury to health through being located in the basement offices at Somerset House?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): In December, 1879, Mr. Herries, then Chairman of the Board of Inland Revenue, believing that the sanitary arrangements of the Legacy Duty Department in Somerset House were unsatisfactory, applied to Mr. Sclater-Booth, and asked him to recommend some high authority, whose advice might be taken on the question. Mr. Sclater-Booth recommended Mr. Rawlinson, who, on being consulted, deputed Mr. Griffith, a distinguished civil engineer, to examine the buildings. Mr. Griffith, on the 13th of January, 1880, made a preliminary Report, which Mr. Rawlinson forwarded to Mr. Herries on the 28th of January, with the following letter from himself:—

> "Herewith I send a tracing and Report by Mr. Griffith on the drainage of part of Somerset House. I think the facts, so far known, should be stated; but you will note that this Report is a mere brief sketch. A full Report will require plans, sections, details, and estimates; but

unless the suggested improvements can be carried out the work and cost will be wasted. I personally feel so convinced that injury to health must, and does, arise from the defective drainage and ventilation that I consider the work necessary to health should be done at any cost."

That was the only Report that was made; and as it was addressed to Mr. Rawlinson, and was described by him as a "mere brief sketch," it does not appear to me to be of a nature to be laid on the Table. I will, however, state to the House fully the steps which were taken in the matter. The day after he had received Mr. Rawlinson's letters, Mr. Herries communicated with the Office of Works, and requested immediate attention. The Office of Works at once obtained the sanction of the Treasury for the thorough examination of the sanitary arrangements of the whole of Somerset House. The work of revision was commenced in April, 1880, and was not finished till the autumn of 1881. No expense was spared, and the result is believed to be satisfactory. With regard to the second part of the noble Lord's Question, I have only to say that, as the noble Lord is probably aware, all attendant circumstances are carefully considered whenever any application is made to the Treasury on account of injury to health.

PLACES OF PUBLIC WORSHIP — THE RETURN.

Mr. CROPPER asked the Under Secretary of State for the Home Department, If he has observed a Return, entitled "Churches, Chapels, &c.," intended to give the relative number of places of worship belonging to the Established Church and to Nonconforming Bodies; whether the latter list includes every building or "room in a building" registered for worship, whilst the list of "Places of Worship belonging to the Established Church" includes only those "in which marriages are solemnized"; whether there are not a great number of chapels, mission rooms, and school rooms used as places of worship, according to the Service of the Established Church, in which marriages cannot be solemnized; and, whether a more fair enumeration of such places of worship could have been obtained, the Return lately issued being useless for any purpose of comparison?

Mr. RICHARD also asked whether the Return contained no account of Nonconformist Chapels which existed before 1852, unless such chapels had since been certified under the Act passed in that year; whether the official list of churches and chapels published by authority of the Registrar General did not show that in the registration district of London alone there were no less than 117 Nonconformist chapels not given in this Return; and, whether there were not similar omissions of Nonconformist chapels and mission rooms situate in all parts of the country not certified under the Act of 1852?

Mr. HIBBERT: The Return, as issued, contains the most accurate information available for the purpose in the Office of the Registrar General; and I have no reason to doubt that the particulars which, according to the headings, the Return purports to give are strictly correct. The list, so far as churches and chapels of the Established Church are concerned, is limited to those in which marriages are solemnized, the Registrar General having no information with respect to the number of chapels, mission rooms, and school rooms used as places of worship, but in which marriages cannot be solemnized. The Return also does not give all Nonconformist places of worship, as it does not include those chapels which existed before 1852, unless they have been certified since that date. As regards the 117 Nonconformist chapels in London which are stated to be omitted, at present I have no information, but will communicate with the Registrar General if it is desired. It is admitted that the Return does not give accurately a list of all churches and chapels; but it was realized before the preparation of the Return was proceeded with that the information required for a complete list was not available, as there were no local officers who could be called upon as part of their duties to furnish all the particulars required. This was intimated to the hon. Member for Wolverhampton (Mr. H. H. Fowler), who moved for the Return. It is a matter of regret that the Return is not more complete; and I must add that I should be very sorry if the Return which was prepared at the request of an hon. Member should become a bone of contention between members of the Established and Nonconformist Churches.

RAILWAYS—WORKMEN'S TRAINS.

MR. GRANTHAM asked the President of the Board of Trade, If his attention has been called to a letter in *The Evening News*, of Thursday, 14th June, on the treatment of working men using the workmen's trains by the London, Chatham, and Dover Railway Company; and, if he can hold out any prospect of obtaining from the Railway Companies using Metropolitan Stations greater facilities for working men living in the suburbs to get to and from their work in town?

MR. CHAMBERLAIN: No, Sir; I have not seen the letter in *The Evening News* to which the hon. and learned Member refers. With regard to the latter part of the Question, I must refer him to the Bill dealing with the Railway Passenger Duty. In the 3rd clause of that Bill there is a provision which will enable the Board of Trade to deal with the question of workmen's trains. Any questions arising under it will come under the decision of the Board of Trade, and in case of any deficiency in this particular the Railway Company will cease to have the advantage of the remission of the Railway Duty.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

MR. BROADHURST asked Mr. Attorney General, Whether it is true, as stated in the Public Press—

> "That an intimation has been conveyed to Members who have placed on the Paper Amendments to the Parliamentary Elections (Corrupt and Illegal Practices) Bill, informing them that concessions will be made on various points in Committee in order to facilitate the progress of the Bill?"

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, that, so far as he was aware, the statement that appeared in the newspaper referred to must have arisen through some strange misapprehension. He knew of no such intimation; certainly it had not been made by him, and he was not aware that it had been made by any Member of the Government. The only statement made on the subject had been made in the House, that so long as they were dealing with matters that did not involve important questions of principle the Government were quite willing to consider any Amendment and make concessions; but when they had to deal with crucial questions of principle they purposed adhering to those principles.

MADAGASCAR.

MR. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether, in accordance with the declaration of Her Majesty's Government recognising

> "the Queen of Madagascar as absolute Monarch of the whole Island,"

and with the understanding between Great Britain and France

> "that the two Governments should maintain an identic attitude of policy in Madagascar and act in concert in the matter,"

Her Majesty's Government has made representations to the French Government concerning the action and the claims of France in Madagascar?

LORD EDMOND FITZMAURICE: Her Majesty's Government cannot judge, until they have received full information with regard to the recent proceedings of the French in Madagascar, whether it will be necessary or desirable to address any representations to the French Government.

MR. ARTHUR ARNOLD asked whether the information received as to what had taken place in the North-West was generally the same as that which had been published?

LORD EDMOND FITZMAURICE: The information was exactly the same. The telegrams were almost identical.

SOUTH AFRICA—ZULULAND—ALLEGED MURDERS OF MISSIONARIES.

MR. GUY DAWNAY asked the Under Secretary of State for the Colonies, Whether he has received any official corroboration of the reports published in the newspapers of June 18th and 19th with regard to the alleged murders of two German Missionaries in Zululand; and with regard to an incursion said to have been made by a force of Cetewayo's followers into the Transvaal?

MR. EVELYN ASHLEY: We have received information that some of the Abaqulusi Tribe, who are followers of Cetewayo, have made an incursion into Transvaal territory in order to attack some of Oham's adherents, who were located within the Transvaal Borders.

SOUTH AFRICA—THE TRANSVAAL—MAPOCH.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for the Colonies, Whether Unyabelu (commonly called Mapoch), who is now besieged and refused all terms by the Boers, is the same chief who, during the Transvaal War in 1881, at the request of Lieutenant Long, the British officer in command, advanced with a force of several thousand men to the relief of Lydenburgh, then hard pressed by the Boers; and, if so, what steps Her Majesty's Government are taking to protect their ally from ruin and death?

MR. EVELYN ASHLEY: It is not a fact that Mapoch, in 1881, advanced to the relief of the British troops. No doubt, he made offers of his assistance; but they were not availed of. Indeed, the hon. Member must know that it was contrary to the principles and policy adopted by the Government at the time to use any Native levies or allies in their operations against the Boers. Our information does not corroborate the statement of the hon. Member that this Chief is "refused all terms" by the Boers. He is within the Transvaal Borders, and Her Majesty's Government see no reason for their interference.

MR. ASHMEAD-BARTLETT: Am I to understand the hon. Gentleman to deny the statement that Lieutenant Long asked for assistance from Mapoch?

MR. EVELYN ASHLEY: Yes; I do deny the statement. Mapoch offered the assistance of 500 men, which was not accepted.

INDIA—THE AMEER OF AFGHANISTAN.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether Her Majesty's Government have received any confirmation of the recent news from India, that the Amir of Afghanistan has been compelled to patch up a hasty peace with the Shinwarri tribes, and to hurry westwards for the defence of Herat; that the Shah of Persia, accompanied by Ayoub Khan, is approaching Meshed, the capital of Khorassan, and midway between the Russian troops at Askabad and Herat; and that the Shah has been promised Herat by Russia in return for the cession of the border fortress of Khelat-i-Naderi?

MR. J. K. CROSS: Her Majesty's Government have received no confirmation of the report referred to in the first part of the hon. Member's Question. The Shah was expected to leave Teheran for Meshed this month, to worship at the sacred shrine there; but, according to the information we have, Ayoub Khan will not accompany him. I must remind the hon. Gentleman that Herat, as he well knows, does not belong to either Russia or Persia.

ARMY EXAMINATION PAPERS.

VISCOUNT FOLKESTONE asked the Secretary of State for War, Whether it is true, as stated in the "Army and Navy Gazette" of the 9th instant, that at the last examination of Captains for the rank of Major held in January last, 42 out of 63 failed; whether, if true, he has made any inquiry as to the nature of the papers set; and, whether he is aware that it is the general opinion of those officers who have seen the papers on Tactics, that they were far too severe and too long to be answered properly in the time given?

THE MARQUESS OF HARTINGTON: At the examination referred to 164 officers attempted to pass, and only 28 failed. As regards the papers on tactics, out of the 28 officers who failed to pass the examination only 14 failed in tactics, of whom 13 would have been otherwise disqualified. The counting standard is not very high—only ·4. Out of those examined, one officer obtained full marks, and seven were able to double the counting standard.

HOUSE OF COMMONS—THE FIRST LORD OF THE ADMIRALTY.

MR. PULESTON asked the First Lord of the Treasury, Whether, in view of the severity of the provisions of the Naval Discipline and Enlistment Acts Amendment Bill, sent down to this House from the House of Lords, he will now consider the expediency of the First Lord of the Admiralty being a Member of this House?

MR. GLADSTONE: I do not know whether the hon. Gentleman is right or not in the conclusion he draws from the nature of the provisions of the Naval Discipline and Enlistment Acts Amendment Bill. I am bound to say, in answer to the practical part of the Question, we have no intention of revising the Bill in order to bring the First Lord of the Admiralty into this House. We are quite satisfied with the present arrangement.

PARLIAMENT (MR. BRADLAUGH).

MR. P. A. TAYLOR asked the First Lord of the Treasury, Whether he has, during the past three weeks, received resolutions from numerous largely attended public meetings strongly protesting against the borough of Northampton being deprived of its constitutional representation in the House of Commons; whether he is aware that similar resolutions have been received by Mr. Speaker; and, whether, if Mr. Bradlaugh is forbidden to take his seat, he will support a Motion that a new writ should be forthwith issued for the election of a Member in his stead?

MR. GLADSTONE: I have received a variety of resolutions which purport to come, and I daresay may come, "from numerous largely attended public meetings," protesting against the present state of things with regard to the borough of Northampton. Some of them protest in language, the strength and unmeasured character of which—although I quite admit that the question is very serious, and justifies the use of language that is strong in a certain sense—I cannot help regretting. I am aware that it is mentioned that in one or two cases those resolutions have been transmitted to Mr. Speaker, and the right hon. Baronet opposite (Sir Stafford Northcote), as well as to myself. With regard to the latter part of the Question, I am not sure that the hon. Member has fully considered what it implies. He asks whether, if Mr. Bradlaugh is forbidden to take his seat, the Government will support the Motion for the issue of a New Writ for the borough of Northampton? I apprehend that the seat is certainly not vacant, and that no Writ could issue.

MR. LABOUCHERE: I beg to ask you, Mr. Speaker, whether you have received the resolutions referred to by the Prime Minister; and, if so, whether you deem it advisable to communicate them to the House?

MR. SPEAKER: In answer to the Question of the hon. Gentleman, I have to say that several resolutions have been sent to me by chairmen of public meetings, but they have no official character; and, therefore, I should not be warranted in communicating them to the House, which can only be properly approached by Petition on a subject of this kind.

THE OFFICE OF LORD PRIVY SEAL.

MR. BROADHURST asked the First Lord of the Treasury, Whether it is the intention of the Government to abolish the office of Lord Privy Seal?

MR. GLADSTONE: Her Majesty's Ministers have not yet finally decided as to how they will advise Her Majesty with regard to the Office of Lord Privy Seal. The question is connected with some other matters of administration; but they will take care that the House is informed of their intention before they come to the consideration of any vote on the subject.

SOUTH AFRICA—THE TRANSVAAL—THE SPECIAL COMMISSIONER.

SIR MICHAEL HICKS-BEACH: I wish to ask the Prime Minister, If he is in a position to state who has been appointed Special Commissioner to the Transvaal; and whether he is able to lay the instructions and also the despatches referring to the matter on the Table of the House?

MR. GLADSTONE: Owing to circumstances which have occurred since I last answered a Question on this subject, and which I will explain in a day or two, I am not able to give the answer which I fully hoped to be able to give to-day. On Monday I hope to be able to give an explanation to the right hon. Gentleman.

POST OFFICE—MAIL SERVICE TO THE MAURITIUS.

SIR JOHN HAY asked the First Lord of the Treasury, Whether, having regard to the condition of affairs in Madagascar, and of the importance of the Mauritius as a Naval Station, and as the mail service on that route was carried out by French vessels only once a month, Her Majesty's Ministers would consider the necessity for increasing the mail communication between this country, Madagascar, and the Mauritius, especially as there was no telegraphic communication between Africa and those Islands?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): My right hon. Friend the First Minister has asked me to answer this Question. In reply, I have to say that no proposal for increased mail communication between this country and Mauritius, including Madagascar, has been before the Treasury. There was a suggestion for subsidizing a line of steamers between Natal and Mauritius in 1879, on which the Colonial Office and Admiralty were consulted; but it was decided that the line would not be of sufficient importance to warrant their Lordships of the Treasury in asking Parliament to contribute to its support. At this moment I cannot say that we see any necessity for a duplicate line to Mauritius; but, beyond doubt, the Departments concerned will watch the course of events.

PARLIAMENT—THE STANDING COMMITTEE ON LAW, &c. — CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL.

LORD RANDOLPH CHURCHILL: Seeing the Attorney General in his place, I wish to ask him, Whether it is the fact, as generally rumoured in the House, that he has come to the deplorable decision of abandoning the Criminal Code (Indictable Offences Procedure) Bill, in the Grand Committee on Law; and, if that is so, whether he recollects the answer he gave, I think, on Monday last, in which he announced his intention of vigorously persevering with the measure, and how he proposes to reconcile his present action with his recent answer?

MR. BUCHANAN: Before the hon. and learned Gentleman answers, I should like to ask you, Mr. Speaker, whether the Question of the noble Lord is in Order, when the proceedings of a Committee on a certain Bill before them to which it has reference are not reported to the House?

MR. SPEAKER: The Committee not having reported to the House, undoubtedly the Question is not strictly in Order; but if the hon. and learned Gentleman thinks proper to answer the noble Lord, I should not feel bound to prevent him.

LORD RANDOLPH CHURCHILL: On a point of Order I wish to know whether it is not in the power of any Member to ask the Government their intentions with regard to a Bill of which they have charge, and which is now before the House?

MR. SPEAKER: The noble Lord asks the hon. and learned Gentleman a specific Question, involving the action of the Attorney General as a Member of that Committee.

SIR H. DRUMMOND WOLFF: Mr. Speaker, I would ask you, Sir—["Order, order!"]

MR. SPEAKER: What I meant to say was that if the noble Lord asked the Question of the Attorney General, as a Member of the Committee, it would not be in Order.

LORD RANDOLPH CHURCHILL: No. I asked him as a Member of the Government.

SIR H. DRUMMOND WOLFF: Has it not been distinctly laid down that the Standing Committees take the place of Committees of the Whole House? Under these circumstances, are they not in a different category from ordinary Select Committees, and are we not entitled to ask Ministers what are their intentions as to the future stages of a Bill?

MR. JOSEPH COWEN: I wish to ask what difference there is between the present Question and the Question which I put on Monday on the same subject?

THE ATTORNEY GENERAL (Sir HENRY JAMES): As you have said, Sir, that there is no objection to the Question of the noble Lord being answered, I have not the slightest objection to answer it. I did think it right this afternoon to give Notice that I would submit to the Committee, at its next meeting on Tuesday next, a Resolution to the effect that the Committee should not proceed with the further consideration of the Criminal Code (Indictable Offences Procedure) Bill. I have been led to take that course with the greatest possible regret; but circumstances have been placed before me—notably the circumstances of to-day, when we were prevented from forming a Committee by the active exertions of one of its Members—which caused me to think that it would be hopeless to endeavour to proceed with the Bill. I did not state on Monday that I would exert myself vigorously to go on with the Bill; but I did say that I would not abandon all hope until it became quite clear that it was not possible to proceed with the Bill. We arrived at that stage to-day, and therefore I felt compelled to take the course I have done.

MR. GIBSON: It would be a great convenience if the Attorney General would state to the House whether the Resolution he will submit to the Committee on Tuesday next will be of the simple character he has just stated, or will contain reasons which may be contentious for the step he has taken?

THE ATTORNEY GENERAL (Sir HENRY JAMES): I think this Question is going a little beyond what a Question should be. But I may state that the Motion I shall submit to the Committee I will endeavour to make very brief and simple, so as to avoid all matters of a controversial character.

LORD RANDOLPH CHURCHILL: May I ask whether the reasons the Attorney General will submit to the Committee will contain the name of the Member he has just been alluding to?

MR. RAIKES: I beg to ask the Prime Minister whether, having regard to the great and signal success of the principle of delegation and devolution, he proposes to refer any more Bills to this Committee during the present Session? [*Laughter.*]

MR. GLADSTONE: Owing to the laughter of the noble Lord (Lord Randolph Churchill) and those near him, I was unable myself to hear the Question. I do not see that the announcement just made by my hon. and learned Friend imposes on the Government, or upon the House, the duty of arriving at any immediate decision with regard to the possibility of referring any other measures to this Committee. I agree that that question should be considered as soon as it conveniently can.

RAILWAYS — INSECURITY OF THE HOO BROOK VIADUCT ON THE GREAT WESTERN RAILWAY.

In reply to Mr. BRINTON,

MR. CHAMBERLAIN said, he had seen a paragraph in *The Birmingham Daily Post* with reference to the alleged insecurity of the Hoo Brook Viaduct, near Kidderminster; and he had thought the matter of sufficient importance to justify him in requesting one of the inspecting officers of the Board of Trade to visit the spot and make a full Report as to the condition of the Viaduct. As soon as that Report was received, there would be no objection to lay it on the Table.

PARLIAMENT—THE STANDING COMMITTEES—RE-APPOINTMENT.

SIR H. DRUMMOND WOLFF asked the Prime Minister, Whether, considering the undertaking given by the Secretary of State for War in the last Session that the question of the re-appointment of the Standing Committees should be brought forward at a time when it could be fully discussed by the House, he would now state when he would be prepared to bring forward the question of the re-appointment of those Committees for next Session?

MR. GLADSTONE: No, Sir; I have not come to any resolution as to asking the House to consider that question at the present time; but, as the hon. Member intends to imply by his Question, a proposal will not be made without consulting the convenience of the House.

MR. GIBSON said, a distinct promise was given that the question would be brought on before the end of July. [An hon. Member: Or October.]

ORDERS OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 19th June.*]

[SEVENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 3 (Punishment of candidate found, on election petition, guilty personally of corrupt practices).

Amendment proposed, in page 2, line 12, to leave out from the word "of," to the word "being," in line 14.—(*Mr. Raikes.*)

Question proposed, "That the word 'ever' stand part of the Clause."

Mr. RAIKES said, that, having regard to an answer which had been made by the Attorney General within the last few minutes, to the effect that the Government were willing to favourably consider Amendments which did not touch crucial or essential points of the Bill, he would venture to ask the hon. and learned Gentleman whether he would not reconsider the course he proposed to take when the Amendment was proposed; and whether the Government would not even now see their way to accept the Amendment? He put this question, because he felt certain that there were very few points in the Bill more likely to cause difference of opinion in the House than that which was involved in the Amendment he had proposed; and he ventured to think that those differences were likely to arise among Members who usually supported the Government of which the hon. and learned Member was one. He, therefore, hoped that the Attorney General would accept his advice in good part. The feeling was strong that the penalty of 10 years' exclusion from Parliament was sufficient for the graver offences covered by the clause; and he was quite sure that with regard to the more venial offences, such as treating, there would be a very general repugnance to see a man so severely punished whenever it could be shown that he had committed the offence himself. He hoped, therefore, that the Attorney General would be able to accept this Amendment, because he felt certain that his so doing would considerably tend to the passing of the Bill.

The ATTORNEY GENERAL (Sir Henry James) said, the Committee would recollect that the question of penalties under the 3rd clause came before them as a whole, and that at the time he stated very distinctly the course which he would be willing to take, the view of the Government being that the penalty of disqualification ought to be retained, because the effect of the action of a candidate upon a constituency would remain for a long time after the Parliamentary contested election in which he had been guilty of corrupt practices. The question of degree was, of course, an important one to consider; and he hoped the Committee would not think that he had omitted to consider that as well as every other branch of the question.

Sir STAFFORD NORTHCOTE said, he did not desire to interpose for any length of time between the Committee and a division; but he wished very shortly to say that, in his view, it would be wise to adopt the suggestion of his right hon. Friend the Member for the University of Cambridge and mitigate the penalty in the way which he proposed. They must consider what the general bearing of a very severe measure must be, and in so considering it they must remember that one of two things would probably happen. If the penalties were made too severe the result would probably be that men of sensitive honour and high character, afraid of the consequences of some inadvertence on their own part, or of the steps taken by their agents, would refrain from seeking seats in the House, or the constituencies would be appealed to by candidates of a class less to be depended upon, and less sensitive in the matter of honour. One or other of those things would happen, or the Bill might become inoperative by reason of the fact that there would be an indisposition to put in force a measure which would produce such serious consequences; and therefore the measure might prove inoperative by virtue of its own severity. He was reluctant to appear indifferent to the taking of any steps for the repression of corrupt practices; but his own opinion, after having considered the matter very carefully, was that it would be advisable to adopt a milder course than that which was proposed in the Bill; and therefore he hoped that the Committee would adopt the Amendment which had been proposed by his right hon. Friend the Member for the University of Cambridge.

Mr. RYLANDS said, he did not wish to delay the Committee in coming to a decision on this question; and his hope was to give some assistance—he certainly should give all the assistance in his power—towards the passing of the Bill. He had endeavoured to gather the opinions of Members on both sides of the House in regard to the measure; and he believed there was a general consensus of opinion that if the Attorney General showed a disposition to meet the views of a majority in the House, he would find that there was a desire to pass the Bill in a modified form at the earliest possible moment. He had, therefore, been glad to hear his hon.

and learned Friend the Attorney General state that he was not unwilling to listen patiently to suggestions which might be made in order to improve the Bill. His own view was that in any case no sufficient reason had been shown to justify so extreme a penalty as was included in the Bill. He would suggest that it might be possible to limit the term of years during which a candidate should not be allowed to contest any constituency. He agreed with his hon. and learned Friend that if a candidate had been guilty of very wide and general corruption in a borough, no penalty could be too severe; but there were cases in which some elasticity should be be given.

MR. CHAMBERLAIN said, his hon. and learned Friend the Attorney General had on every occasion shown a desire to meet every reasonable demand that could be made from every quarter in reference to the provisions of this Bill. As far as this particular question was concerned, he quite agreed with the right hon. Baronet the Leader of the Opposition in thinking that it was not desirable for the Bill to be so stringent as to defeat its own object; but, on the other hand, he thought it necessary to point out that if Parliament was really in earnest in this matter, they must not fritter away and water down the measure until the last stage of the question would be worse than the first. His hon. Friend had spoken of a Gentleman not being able to sit for what he called "his own constituency," and upon this point he was particularly hard. He should very much like to know what constituted a right for any Member of the House to call any constituency his own. A man could only, in any circumstances, make a constituency "his own" in the sense in which the phrase had been used by buying and corrupting it, with the view of sooner or later being returned for it, as the result of the corruption which he had practised.

SIR WALTER B. BARTTELOT said, he had been surprised by the statement of the right hon. Gentleman the Pesident of the Board of Trade, who seemed to think that any man who could come under this particular clause must necessarily be a man whose sole business in life had been the debauching of constituencies. The right hon. Gentleman practically asked that there should be placed in the same category men who had literally and deliberately debauched whole constituencies, and other men who, by accident or mistake, had committed a trifling error, and so brought themselves within the clauses of the Bill under discussion. It would be a very hard case for a young man who had just come of age, and who wished to sit for a particular constituency with which he was connected by birth, if by the act of an agent he was prevented from representing the constituency, even though he might live to 80 or 90 years of age. A man sent into penal servitude might, after he had served his time, go back to the place from whence he came and perform all the duties of citizenship therein; but a man who had, by the act of an agent or by his own inadvertence, committed an offence under this Bill, no matter how good and high his character might be, could never sit for the constituency.

MR. MACFARLANE said, this had been described as a Bill of degrees, and he was particularly anxious to know whether there were not degrees as well of guilt as of punishment? It certainly seemed to him hard that the smallest slip or accident occurring to a candidate or his agent should disqualify a candidate from sitting for the constituency which might choose him, and which certainly would be his own choice, for the remainder of his life. He certainly could not accept the principle of life-long punishment; and when the opportunity arose he should move an Amendment which would have the effect of reducing the penalty. He had no objection to retaining the maximum period of 10 years as that during which a candidate should not be allowed to contest a constituency which he had corrupted; but he thought that the Judges should be allowed a discretion in reference to inflicting the maximum penalty.

MR. R. N. FOWLER agreed with the hon. Member who had spoken last in thinking that the Bill ought not to be made too severe in its provisions; because he was of opinion that it might thereby defeat its own object, which was, on the whole, a wise and reasonable one. The Bill bristled with difficulties; and he feared that if it was passed into law in its present form it would permit the entrance of men to the House whose presence therein would only result in a deterioration of the character of the House.

Mr. ACLAND said, that with reference to this particular subject, he hoped that the clause would be so worded as that a line would be drawn which a candidate who had been personally guilty of corrupt practices could not cross. He had no objection to the diminution of the period of 10 years' disqualification to sit in the House for some other constituency. But he hoped that the principle would be maintained of drawing a line which could never be crossed between a candidate guilty of bribery or corrupt practices and the constituency he had endeavoured to corrupt.

Mr. GORST said, he hoped the Attorney General would yield on this particular point. The question of these penalties had always been whether the punishment inflicted by the law was sufficient and effective? Hitherto, the penalty for candidates personally guilty of corrupt practices had been exclusion from Parliament for seven years; and the question was, whether that punishment had been sufficient and effective? His own opinion was that it had been so. There was no case, with the exception of Launceston, in which, since the present law was enacted, it had been shown that a candidate had been personally guilty of corrupt practices. The effect, therefore, had been pratically to obliterate the offence from the roll of offences under the electoral laws. This which he had said was based not only upon his knowledge of Parliament as a Member of it, but upon what had become part of his professional experience before he became a Member of the House of Commons.

Mr. NEWDEGATE said, he had recently examined the question as far as voting was concerned, and he found that the difficulty was not so much personal as platform corruption. On this point he had evidence which could not be denied.

Sir CHARLES W. DILKE said, it was somewhat curious that his hon. Friend the Member for Burnley (Mr. Rylands), the hon. and learned Member for Chatham (Mr. Gorst), and the right hon. Baronet the Leader of the Opposition (Sir Stafford Northcote), although they had spoken with something of warmth against the proposal of the Government, were unanimous on a previous occasion in supporting a similar proposal —which he might remark was carried not only without a division, but without discussion. This was, he must say, a curious position to be taken up.

Mr. JOSEPH COWEN said, the Attorney General had given every proof that he would make a reasonable concession, and he believed it was the desire of the Committee to assist him. He entirely sympathized with the object which the Attorney General had in view in this particular portion of the clause; but he was rather afraid that it would defeat its purpose by its severity, and would bring about a re-action in the country by making the candidate appear to be in a persecuted position. The case brought forward by the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) clearly indicated that aspect of the question. If a young man went before a constituency without any knowledge of Parliamentary affairs, he might do something quite innocently which might turn out to be an offence, and then he would be condemned to a life-long exclusion from Parliamentary life, and that would be an extremely harsh thing. For his own part, he (Mr. Cowen) was strongly opposed to perpetual punishments, whether in this world or in the next; and he would not impose such a punishment on a man for an offence which might be serious, or which might not. The clause would deal very hardly with a man who was resident in the constituency; and it should be remembered that the theory of the British Constitution was that boroughs should be represented by burgesses, cities by citizens, and counties by knights of the shire. The effect of the clause would be to deter those very men from coming to Parliament who were supposed, by the theory of the Constitution, to be the fittest to represent the people.

The ATTORNEY GENERAL (Sir Henry James) said, the hon. Gentleman had stated that the effect of the clause would be to impose upon the candidate who committed an offence a life-long exclusion from Parliament.

Mr. JOSEPH COWEN said, he quite understood that it was only to be a life-long exclusion in regard to the particular constituency. Of course, any other constituency would be open to the man.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he wished that to be clearly understood, because it was an important point, and the hon. Gentleman did not mention, when he made his speech, that the disqualification was to be for the one constituency only. Before the Committee divided he wished them to bear in mind that this Bill was pressing pretty heavily upon the constituencies—hon. Members were going to do all they could to prevent corrupt practices and to stop expenditure, and they must not be too sparing of themselves. As the penalties were to be so severe upon the constituencies, it was only just that they should be equally severe upon the candidate. If a man was to be permitted to go to the same constituency again, after he had attempted to corrupt it, he might in the end obtain the advantage of his corruption, and it was necessary to prevent that. No doubt, the provision was inelastic; but all the exclusions which existed now were also inelastic—as, for instance, under the 43rd section of the Act of 1868. One hon. Member had suggested that the matter should be left to the discretion of the Judge; but he (the Attorney General) thought the Judge's discretion should not be carried too far. Where the Judge inflicted the maximum of punishment, having a discretion in the matter, that punishment would fall upon the offender with tenfold greater severity than would be the case if there was no discretion at all. If the candidate once stood before the Judge upon his trial, and the Judge said —"I have heard all that you have to say, and all that your counsel and witnesses have said, and I have come to the conclusion that your conduct has been such that you should receive the maximum of punishment that I can inflict." What chance would that candidate have if ever he went before another constituency? [An hon. MEMBER: Serve him right!] It was all very well to say "Serve him right!" but the result of giving the Judge a discretion would be to put it into the Judge's power to sentence a man to a real life-long exclusion from Parliament, affecting not one constituency merely but all.

SIR R. ASSHETON CROSS said, he thought the provision as it stood was too severe, and such severity was not wanted. It must be remembered that it applied not to cases of bribery alone, but the same penalty could be inflicted in doubtful cases of fact in regard to treating.

THE ATTORNEY GENERAL (Sir HENRY JAMES): The matter which would be doubtful would not be the act of treating, but whether it was done by another person with the knowledge of himself.

SIR R. ASSHETON CROSS said, he could not withdraw one word he had said, and he repeated the phrase—doubtful questions of fact in regard to treating. The question was admittedly one of considerable doubt, and in many cases the offence against the Bill might be done quite innocently. That being so, the penalty proposed was far too severe.

MR. A. F. EGERTON wished to mention a case within his own experience. He once went to a borough under very peculiar circumstances. That borough was very much upon its trial, and he and his friends did all that lay in their power to preserve purity of election. But what happened to himself? On one occasion he arrived—he thought it was on the day before the election—and he sent his bag on a certain distance in order to proceed with his canvass. He gave the man who took the bag 1*s*., and that payment under this Bill would have been a corrupt or illegal practice, and, if brought home to him, the Judge would have had no option but to disqualify him from representing that borough for ever. They ought not to be too severe in these cases. The corruption of a borough stood upon an entirely different footing, and the penalties against that might well be made as severe as possible. But they ought to take care not to inflict these severe penalties upon gentlemen who might be guilty, without even knowing it, of some inadvertence—some action—which fell within the category of illegal practices.

MR. DILLWYN said, it appeared to him that the great object of all punishments of offences was to make the punishment commensurate with the nature of the offence. If they went beyond that, and provided unduly severe penalties, they were pretty sure to defeat the object they had in view. It appeared to him that where a man had been wilfully and systematically corrupting a constituency the penalty proposed was not one bit too severe. The man who did such a thing ought to be excluded for life. But that was a very different matter from treating; and where a young man, exercising a little harmless hospitality, might be judged to have been guilty of a corrupt practice, such a case ought to be distinguished from the extremely grave one of corruption. He therefore earnestly hoped that the Attorney General would see his way to making the provision a little more elastic than it was at present.

Mr. LEWIS said, the Attorney General seemed to think it was a powerful argument in favour of the clause that the other collateral penalties were, like it, inelastic. But that really afforded all the more reason why they should be very careful in what they were about. The very fact that they were inelastic made it necessary, inasmuch as they were dealing with crime which might be great or small, that there should not be too high a standard of punishment. There was obviously an undercurrent of feeling in the House that this clause, as it stood, was far too severe. That current of feeling was to be found in every part of the House among Members of different and extreme views on both sides. There were one or two points, which appeared to him to be important, that he would like to refer to. The Attorney General had dealt with the case of corruption as though it were serious and general; but it was a remarkable fact that there had been no case since Election Petitions were tried by the Judges in which there had been great personal corruption. The Attorney General seemed by a gesture to imply that he (Mr. Lewis) was wrong in making that statement; but he would like to know what case there was on record? Was there more than a single case of personal bribery? They knew perfectly well that the more usual case was for a candidate to be unseated through some stupid act—some temporary lapse under the influence of bad advisers—which placed a man within the power of the law. The Attorney General said that unless they had these severe penalties the law would not be regarded; but he (Mr. Lewis) declared that it would not be regarded if they did have them, for it would not have a chance of taking effect. The Attorney General had said, on former occasions, that it was necessary to disqualify for life, so far as the particular constituency was concerned, or else the candidate might return in 10 or 15 years and reap the fruits of his former bribery and corruption. But did the hon. and learned Gentleman, with his knowledge of human nature, believe that a man spending £5, £10, £15, £100, or £500 in 1883 would be returned by the constituency in 1893 because of that expenditure? They knew that the definition of gratitude which had been given by some cynic was a sanguine expectation of favours to come, and had nothing to do with those which had already been conferred. Did anyone suppose that any bribery, however much it might have corrupted the electors, would be successful in influencing votes years afterwards under such circumstances? Was it reasonable to suppose that because a man spent £1,000 over an election, and was, afterwards, sent into the wilderness for 10 years, that man could then go back to the electors and get his £1,000 back in votes? That was surely too great a strain to put upon one's belief in human nature. It defied all experience; there was not a single word to be said in favour of it. He must say that he had not believed that the hon. and learned Gentleman who had used this argument could have been so utterly devoid of all knowledge of the world and experience of life. Another argument which had greatly astounded him was that this was wanted for the protection of the candidate. It was as though he (Mr. Lewis) should call in a couple of burglars for the protection of his front door. The clause was most severe and inelastic, and it would render public life impossible to a man. The protection of the candidate argument was really one of the most debasing character. If a man went up to him and asked him for a bribe, instead of saying "respect the law," the Attorney General offered the candidate this shield composed of a fear of life-long banishment. If a man were an honourable man he would at once say, "It is against the law and against morals," and, therefore, no such shield as this was necessary. No doubt, the Attorney General was very anxious that the clause should pass, for it was one of the crucial clauses of the Bill; but it involved one of the most serious and important of all the questions with which the Committee might have to deal; and, when Members were getting up in all parts of the House to declare that the clauses were too severe, he thought they should pause before they passed it in its present shape.

MR. CARBUTT said, he was quite willing to draw a hard-and-fast line in the matter of personal corruption. But this was not a matter of personal corruption. If a man said, "I will give you £5 for your vote," that would be personal bribery, and, no doubt, no penalty would be too severe for it. But he (Mr. Carbutt) knew the case of one of the largest boroughs in the United Kingdom, where the present Member throughout his life had devoted half his income to charitable purposes connected with the borough. If he continued to do that, he might be called before an Election Judge and be convicted of personal bribery, and he would be branded with odium all his life, being unable ever to represent the borough in Parliament again. It was a question how far the penalty should extend. There were some cases in which it was impossible to get juries to convict. They would not convict, for instance, in the case of child-murder, because it was always thought very hard that the mother should be hanged. If the Committee decided in this case that a man should be subjected to a life-long exclusion, he was sure there would be a great difficulty in getting a conviction, and therefore he should vote against the Attorney General's proposal.

MR. FRANCIS BUXTON congratulated the Attorney General on putting his foot down and determining to carry the clause as it stood. He should certainly vote with the hon. and learned Gentleman in the matter.

MR. STUART-WORTLEY said, he was anxious to help the Government when he could; but he could not compliment the Attorney General on the attitude he had taken upon this question. They were legislating for cases that occurred very seldom; there were only a few individual cases; and the clause would have a sufficiently deterrent effect without the extreme severity of its provisions as they stood at present.

MR. KENNY said, he thought that if the penalties were too severe the Courts would decline to accept evidence, which otherwise would be quite sufficient for them. If the Attorney General was not inclined to yield on the matter he hoped that the Committee on a division would defeat him.

MR. CALLAN said, that anyone who had heard the speech of the President of the Board of Trade would think that the sole question now before the Committee was that of punishing by a life-long exclusion from the constituency any person who systematically debauched and corrupted that constituency. If that was the case, no one would more heartily support the clause than he (Mr. Callan). But that was not the fact. The clause penalized a person who was guilty of any corrupt practice, treating, or undue influence, either personally or with his knowledge and consent. A man guilty of personal treating would be punished just as if it were a case of bribery. Two cases had come within his own knowledge—one was a case of undue influence, and the other of treating. In one case a most popular Member of that House who sat on the Government side—he referred to the hon. Member for Drogheda (Mr. Benjamin Whitworth)—was examined before Mr. Justice Keogh on the trial of his Election Petition. The following were the questions and answers:—

> "Did you directly or indirectly, as the Petition charges, organize any violence or attack against any human being?—Certainly not.—Directly or indirectly did you authorize any human being to intimidate any voter or any non-elector?—I did not.—Had you anything directly or indirectly to say as to any intimidation being practised on any voter, or any knowledge of it?—Certainly not."

Such was his evidence; and not only that, but he went into the battalions of the opposing party and offered his protection to take them to the poll. He said—

> "If you have any voters who wish to poll, if you will let me know who they are I would be very glad to escort them to the poll."

Further, he asked the voter for whom he voted, and the voter said, "I will vote for you," and then he took the voter up to the poll. Under these circumstances the hon. Member (Mr. Whitworth) was unseated, and if this Act had been in force he would never be able to sit for Drogheda again. In regard to treating, he (Mr. Callan) had also had to undergo the ordeal of an Election Petition. The charge made against him was that he went into a hotel and was present when certain persons were supplied with refreshment. One of the witnesses was asked who paid for the drink. He rereplied—

> "I do not know; but Mr. Callan said, in my presence, that he had settled for it all."

He (Mr. Callan) was subsequently examined, and Mr. Justice Keogh, instead of dealing with him as the hon. Member (Mr. Whitworth) was dealt with, and unseating him for undue influence, although he gave an express contradiction to the story told about him, seated him. ["Divide!"] When he had done the Committee might divide, but not until then; and as he must be heard, if the interruption was continued the discussion would only be prolonged.

THE CHAIRMAN: I must remind the hon. Member of the New Rules. He seems to me to be trying the patience of the Committee.

MR. CALLAN said, he was satisfied that at any time he should try the patience of a certain portion of the Committee. ["Order!"] He was only alluding to a point which would affect the Irish Members in no small degree —namely, the question whether they should be perpetually excluded from representing any constituency in that country; and he had thought that he was quite at liberty to read the opinion of a learned Judge who tried an Election Petition during thepresent Parliament. What he desired to point out was that if a candidate went into a public-house and stood at the bar, and that some other person, without being asked, partook of some refreshment and then swore that the candidate paid for it, and that then if the Judge said to the candidate—"You had a knowledge of that treating, although it was done most inadvertently, and therefore you must be for ever disqualified from sitting for the borough or county in which the circumstance occurred, just as much as if you had systematically debauched the electors"—what he wished to show was that what might be a proper punishment for the man who wilfully corrupted or debauched a constituency was an excess of severity towards a man who, on the spur of the moment, might give a glass of wine, or some trifling refreshment, to a voter. The two cases were not parallel. What was proper severity in the one case was undue severity in the other. And in regard to the two cases he had mentioned—in that of Drogheda they had one Judge, in the face of the sworn testimony of the candidate, Mr. B. Whitworth, deliberately unseating him—holding, indeed, that he had sworn falsely, for that was the decision of the Judge, and unseating him for personally using undue influence; whereas, in his (Mr. Callan's) case, they had a Judge stating that he believed his testimony, because he was certain if a learned Judge had not done so he would have convicted him of personal corruption, and he would have been disqualified, under the existing law, for seven years from representing the constituency. The hon. and learned Attorney General now wished to extend that penalty from seven years to perpetual exclusion, and to that proposition he should offer a strenuous resistance. If the hon. and learned Gentleman would confine that extreme penalty to one who systematically bribed the constituency, he would have the House with him; and it would only be a fair and a just concession not to impose an extreme punishment upon a person who was guilty of a very small offence.

Question put.

The Committee *divided*:—Ayes 180; Noes 131: Majority 49.—(Div. List, No. 146.)

COLONEL NOLAN rose to move an Amendment in line 14.

MR. JOSEPH COWEN said, he had an Amendment which would come before that in line 13.

THE CHAIRMAN: The Amendment of the hon. Member for Newcastle (Mr. Cowen) has been disposed of by the division which has just taken place.

COLONEL NOLAN said, he had also an Amendment in line 13, which was disposed of by the same division. He wished now to move, in page 2, line 14, after "or," to insert—

> "If found guilty by a jury of bribery, or personation, or procuring the commission of the offence of personation."

The object of the Amendment was to prevent a man from being disqualified for ever from representing a constituency in regard to which a single Judge might have found him guilty of corrupt practices. It was also proposed that the

Judge should prevent a man for 10 years from being a Member of the House of Commons at all. That he considered even a much more serious penalty than that a man should be excluded for ever from sitting for a particular constituency, because if a man was wrongfully convicted, as he might easily be, he might still be elected for some other constituency. He therefore thought that was a matter of still greater importance than that which they had just disposed of. This Amendment proposed, in the first place, that this severe punishment should be restricted to cases of bribery and personation; and, in the second place, it would give to the person accused the protection of a jury. In point of fact, what he proposed was that no Judge, by simply presenting a Report to the House, should have the power of shutting out an eminent politician from the House. The Amendment proposed that if a man was to be shut out from the House, it should be by the act of a jury as well as a Judge. First, there would be the Report of the Judge, and then the man would be tried before a jury, and if found guilty of either of the classes of offence specified in the Amendment—namely, bribery or personation, then he might be kept out of the House altogether; but otherwise he did not think he ought to be. The Attorney General urged that as they were punishing the electors severely, there was no reason why they should not be prepared to punish themselves. That was the main argument of the Attorney General for the severity of these provisions of the Bill. He would, however, remind the Committee that the Attorney General had only, comparatively speaking, a limited interest in the House of Commons, because in the course of a few years he would be naturally called upon to fill the post of Lord Chancellor, or some other high position. The argument ought not to be allowed to apply to Members in a different position; and in the case of an eminent politician who was not a lawyer, the loss would be inflicted upon his Party probably more than upon the individual himself. He begged to move the Amendment which stood in his name.

Amendment proposed,

In page 2, line 14, after the first word "or," to insert the words "if found guilty by a jury of bribery, or personation, or procuring the commission of the offence of personation."—(*Colonel Nolan.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was unable to accept the Amendment, which virtually struck out all punishment for personal treating or undue influence.

COLONEL NOLAN was understood to say that that was not his intention.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must repeat that the Amendment, as drawn, struck out all punishment for treating and undue influence, and it went on to say that the punishment should only apply to persons found guilty by a jury of bribery or personation, or procuring the commission of the offence of personation. He understood his hon. and gallant Friend to desire that no person should be punished unless he had been convicted by a jury, and then he confined the cases thus dealt with by a jury to cases of bribery and personation, so that if a person was reported by the Judge to have been personally guilty of undue influence or treating, he would receive no disqualification at all. He (the Attorney General) thought the Committee were all agreed that there should be some disqualification in all these cases in regard to the constituency in which the undue influence had been exercised; but his hon. and gallant Friend contended that there should be no disqualification, and that there should be a verdict of the Jury before any person could be disqualified for bribery or personation. The adoption of such an Amendment would make a very great alteration in the present law; because under the Act of 1868 if a candidate were reported for personal bribery he was disqualified for seven years. The hon. and gallant Gentleman wished to provide that the Report of the Judge should have no effect, and that there should be virtually no punishment unless the accused person was convicted by a jury. He (the Attorney General) thought that, in the great majority of cases, the verdict of the jury would be so lenient that the offender would probably escape without punishment. He therefore could not accept the Amendment.

MR. WARTON agreed with the Attorney General that the Amendment would have the effect of excluding two out of four of the offences specified from punishment. He would suggest to the hon. and gallant Member for Galway (Colonel Nolan) to substitute the words "corrupt practices" for "bribery, or personation, or procuring the commission of the offence of personation." In that case the objection of the Attorney General would fall to the ground, because it would include in the punishment both undue influence and treating. He took it that the object of the Amendment was really to provide that before a man was punished he should have been found guilty, and then the hon. and gallant Member wished to establish the important principle that that should be done by a jury. He did not gather that the hon. and gallant Gentleman desired to restrict the punishment for corrupt practices to two only of the offences mentioned in the clause. He should certainly support the principle of the Amendment; but he thought it would be better to say that the offender should be found guilty by a jury of "corrupt practices." That would bring the point fully before the Committee, and disarm the opposition of the Attorney General of all its force.

Colonel NOLAN said, he would be quite willing to accept the Amendment of the hon. and learned Member for Bridport (Mr. Warton), if he found that the Members of the Committee were in favour of it. But as his proposition appeared to receive very little support he did not feel inclined to press it, and he would therefore withdraw it.

Amendment, by leave, *withdrawn.*

Mr. MACFARLANE moved, in page 2, lines 14 and 15, to leave out the words "during the," and insert "a period not exceeding ten years." The Committee had just decided by a vote that a candidate found guilty of corrupt practices or of a corrupt practice, done with his knowledge and consent, should be excluded for ever from representing the constituency in which the corrupt practice took place. But, as had been pointed out, although the candidate might be excluded for ever, it might be for a very small offence. The Attorney General had adduced two arguments in favour of the proposition—first, that he could not trust to the discretion of the Judges; and, secondly, that the public would not know the difference between a very bad candidate and a moderately bad one. He (Mr. Macfarlane) thought the Amendment he proposed would meet the difficulty and improve the clause.

Amendment proposed, in page 2, lines 14 and 15, to leave out the words "During the," and insert the words "a period not exceeding ten years."—(*Mr. Macfarlane.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. MACFARLANE wished to add that his object, notwithstanding the adverse vote which had just been given, was to provide that the candidate, because one injustice had been done to him, should not have another injustice inflicted upon him for a trivial offence. What he wanted was that the Judge, when he was compelled by law to exclude a candidate for life from the representation of a particular constituency, should be able to say—"The law compels me to exclude you for life from this constituency; but your offence has been so small, although it has been a breach of the law, that I will not exclude you from representing any other constituency for more than one or two years." The Attorney General would, no doubt, apply the same arguments to this as he had applied to the other cases—namely, that the people would not be able to discriminate between a bad candidate and a good one. The hon. and learned Gentleman began the proceedings that evening by stating that he was willing to accept all Amendments that were of a reasonable character. He (Mr. Macfarlane) contended that this Amendment was not only reasonable, but that it was absolutely just. He thought the Judge, in being compelled to evict a candidate from one constituency, should have a discretionary power to mitigate the punishment by reducing it from 10 years, in the case of other constituencies, to any period he might deem sufficient for the offence. He therefore begged to propose the Amendment which stood in his name.

The ATTORNEY GENERAL (Sir Henry James) said, the Committee had already decided, whether rightly or wrongly, upon excluding a man who was convicted of corrupt practices from representing for life the constituency in regard to which he had been convicted. He thought the present case was a similar one. The hon. Gentleman said that it ought to be in the power of the Judge to say whether the maximum of exclusion should be always inflicted, or whether it should be modified. If that were the case, he did not think the adoption of the Amendment would have the effect which the hon. Gentleman seemed to desire, and he hoped it would not be pressed.

SIR R. ASSHETON CROSS also declined to accept the Amendment. He thought it would be much better to accept an Amendment which came later on, to diminish the period of exclusion from ten years to seven years.

MR. JOSEPH COWEN said, he was of opinion that it would be quite right for the Judge to discriminate between a grave offence and a minor offence. If the offence was only a small one, the Judge ought to have the power of inflicting a small punishment; whereas if the offence was of a heinous character, the law ought to be allowed to take its full course.

MR. MACFARLANE said, that as the Amendment did not appear to meet with general support he would withdraw it.

Amendment, by leave, *withdrawn.*

MR. WARTON moved, in page 2, line 15, to leave out the word "ten," and insert the word "seven."

Amendment *agreed to.*

MR. WARTON moved, in page 2, line 16, to leave out after the word "void," to the end of the clause. He thought they had already punished the unhappy man who committed an offence under the clause quite enough, and he did not think it was desirable to add any further incapacities. He presumed that according to the state of the law the man would have a fair trial. It was bad enough for a man when convicted to be punished; but to punish him when he had not been convicted seemed to be the height of injustice. Why should they assume that a man was guilty when he had not been tried and convicted? It was just possible that a man might fall into some offence under the Act entirely through inadvertence; and when they bore that fact in mind, he thought they would feel inclined to hold that the clause already provided sufficient punishment for the case of a man who committed an offence under it. He therefore begged to move the Amendment, and he hoped the Attorney General would again kindly assist him in passing it.

Amendment proposed, in page 2, line 16, to leave out all the words after the word "void."—(*Mr. Warton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would explain to the Committee why these words had been inserted. This 3rd clause was framed upon a clause contained in the Act of 1868, and was simply an extension of that Act. Under that clause any person who, by the Report of the Judge, was guilty of an act of bribery was subject to seven years' disqualification, and was incapable of being registered as a voter to vote at any election. He was further disqualified from holding any office under the Municipal Corporations Act; and, thirdly, he was disqualified from holding any judicial office. If the hon. and learned Member would refer to the 3rd sub-section of Clause 5 of the Act of 1868, he would see that these disqualifications were exactly the same in the present Bill as they were in the Act of 1868. He wished the Committee to see what the effect of the Amendment would be. The 3rd sub-section of Clause 5 provided—

> "That a person who is convicted of any corrupt practice should, in addition to the punishment provided, be not capable during a period of seven years from the date of his conviction, (*a*) of being registered as a voter for voting at any election in the United Kingdom, whether it be a Parliamentary election or an election for any public office within the meaning of this Act; or (*b*) of holding any public or judicial office within the meaning of this Act, and if he holds any such office he shall be evicted.

It would be seen that the clause provided that it was only when a candidate had been found guilty that he would be reported by the Judge. Of course, no candidate would suffer the penalty unless he had been convicted by a jury. Under the Act of 1868 the candidate would be disqualified from being registered as a voter, or holding any office, upon the Report of one Judge. The present Bill, however, provided that there should be a Report from two Judges. The result was they were extending the law by requiring the concurrence of two minds instead of one, and he thought that was most desirable, as it was the object of this legislation to make the offence a degrading one, and to accompany it by punishment. The words proposed to be struck out were necessary, and he contended that no reason had been given for striking them out.

LORD RANDOLPH CHURCHILL expressed a hope that when the Committee came to deal with the question of the tribunal the Attorney General would not use the argument he had just employed against the Committee. It might hereafter be necessary to discuss the question whether the candidate should have the protection of two Judges or only one.

MR. LEWIS said, he believed there would be various opinions expressed when they came to deal with the composition of the tribunal. His own opinion was that the tribunal had never been properly tested, and he thought that one Judge with an appeal would be better than two without an appeal. However, the time had not yet arrived for dealing with that question. He should have thought the Attorney General might have been perfectly satisfied with an instrument which he had made double-edged and sharp to the last degree, and that he would not have deemed it necessary to intensify the severity of the clause any further. He was afraid that the Committee could not accept the clause as it stood. The Attorney General appeared to think that because he was rendering it uniform, and making it apply to all corrupt practices, it was properly recommended to the Committee; but it was just because it was made uniform, and was to apply to all cases, large or small, that it was not a recommendation to the Committee. He thought they would be following a very bad example if they did away with a verdict of a jury before inflicting upon any person a grave and heavy disqualification. As regarded the voters, they were aware that the disqualification would not follow except upon a conviction by a jury. The Attorney General said they proposed to do away with these disqualifications dependent upon the verdict of a jury. By the Act of 1868, in the case of bribery disqualification followed the Report of the Election Judge, and the Attorney General said he would follow that principle out, not only as regarded bribery, but treating, undue influence, and so on. The Attorney General seemed to think, as the former Act provided that these circumstances should follow the Report of the Election Judge upon bribery, that therefore they ought to follow the Report of the Election Judge in regard to all other corrupt practices. Now that, in his (Mr. Lewis's) opinion, was severity run mad. If Parliament, in 1868, made an exception in a grave case like bribery, and did away with the verdict of a jury, that was no reason why they should make matters worse now. The effect would be to destroy not only the political life of the candidate, but also, to a great extent, to destroy the social life of any candidate who came under the provisions of the Bill. It was provided that he should not be registered as a voter, and that he should hold no public or judicial office, which meant that he could not be engaged in the administration of local or judicial affairs connected with his own town. In point of fact, it amounted to personal disqualification in regard to local public life as well as in regard to political life. It appeared to him that there was no reason whatsoever that this undue and extraordinary severity should be applied to the case of a candidate found guilty of minor offences connected with corrupt practices; and he thought, after the last division, the Attorney General might well give up this part of the clause, and get rid of an undue severity which was not necessary for the purposes of the Bill.

SIR CHARLES W. DILKE wished to point out to the Committee that the subject was not now being discussed for the first time. On the contrary, it was discussed at some length on the Bill of last year, when an Amendment similar to the one now moved by the hon. and learned Member for Bridport (Mr. Warton) was moved by his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler). A division took place upon that Amendment, and the words of the clause were retained by a considerable majority, and he would remind the Committee that last year the earlier part of the Bill was much more stringent than it was now. Therefore, the necessity for retaining it was not so great as it was now.

SIR R. ASSHETON CROSS said, the Attorney General had stated that the proposals contained in the Bill would be to the advantage of the candidate, who would, in future, have the concurrence of two minds in dealing with his case instead of one, because there would be two Election Judges to try the Petition under the present Bill, whereas there was only one under the Act of 1868. He did not think that the Committee should be bound by what was done last year, when it was certainly not expected that the Bill would be passed; and as to there being two minds instead of one, the hon. and learned Attorney General forgot that, instead of having two minds in place of one, it was really two minds instead of 12, because under the old law for everything but actual bribery there must be an indictment. For undue influence, or treating, or corrupt practices generally, it was necessary to have a jury; and the difference made by the present Bill was that, instead of having 12 minds to try the question, it would in future be tried by two. If the consequences were to be so serious, he thought the candidate ought to have a right to be tried by jury, He could not conceive a greater punishment being inflicted upon anyone than the loss of every social position he held, and his virtual removal from any useful sphere of sociality he might have previously enjoyed. The clause virtually provided that any man convicted under it should lose the seat he might have obtained in Parliament; that he should not be registered as an elector; and that he should hold no public or judicial office; and all these consequences were to follow upon the simple fiat of two Judges, who might have tried the candidate for an admittedly doubtful offence of undue influence. If ever a man should be punished with such severe penalties as these he had a right to be tried by a jury. He hoped the hon. and learned Member for Bridport (Mr. Warton) would go to a division, and, in that case, he (Sir R. Assheton Cross) should certainly support the Amendment.

MR. CHAMBERLAIN said, the right hon. Gentleman who had just sat down had made an accusation against the Committee of last year which he could hardly have intended, because the effect of what the right hon. Gentleman had said was that on the last occasion when this Bill was under discussion hon. Members, believing that it would not pass, voted differently from the manner in which they otherwise would have voted. That was an accusation which he, for one, would certainly not wish to bring against the Committee of last year. The right hon. Gentleman said that this was such a tremendous penalty that it ought only to be inflicted after the decision of a jury. He would ask the Committee to consider what they had already done. They had decided that if a man was convicted on the Report of the Judges of being guilty himself of misconduct, he was to be disqualified from sitting in Parliament for seven years. He admitted that that was a severe punishment; but the Bill provided, in addition, that he should not sit as a member of any Municipal Corporation, or hold any judicial office. Now, he must say that a person so convicted would be, in his opinion, a most unfit person to sit on a Municipal Corporation, or to hold a judicial office; and he thought that municipal and judicial offices should be protected from such persons. It was the case of a man who had been held by two Judges, after full investigation, to be guilty of corrupting a constituency by the use of undue influence; and it ought to follow, as a matter of course, that if he were unworthy to sit in Parliament, he was unworthy also to hold a municipal or a judicial office. He thought it was just as desirable, in the interests of good local government, that such a man should not hold a municipal office as it was in the Imperial Government that he should not be allowed to sit in Parliament. These consequences ought to follow as a matter of course.

MR. A. H. BROWN said, that under Clause 45 of the Act of 1868 a candidate, before being disqualified, was allowed to be heard in his own defence; but under the present Bill he might not be heard at all. He certainly thought that that was an additional penalty which ought not to be imposed.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the words of Clause 45 of the Act of 1868 were—"Any person other than the candidate found guilty of bribery should be heard." The meaning of that was that a person found guilty of bribery other than the candidate was found guilty of misdemeanour, and ought to have the opportunity of being heard. Mr. Justice Blackburn had decided that point quite clearly, and also held that a person accused who was likely to be subjected to such a penalty should have notice to appear before the Election Judge and be entitled to be fully heard. That was necessary, because a person who was not a candidate would not be properly before the Judge under the Election Petition; but if he had been a candidate at the election he would probably be either the sitting Member or the Petitioner, and in either capacity he would naturally be represented by counsel. He did not think that any candidate had been reported guilty of an offence unless he was either the sitting Member or the person who was petitioning. So far as he knew, no Report had ever been made against him in any other case. If, however, the hon. Member could show him that there had been such a case, he would take care that words were inserted in the Bill to guard against a repetition of it.

Mr. GORST remarked, that under the present Bill it was contemplated that the Election Judge should report not only the conduct of the sitting Member and of the Petitioner claiming the seat, but of every candidate at the election.

The ATTORNEY GENERAL (Sir Henry James) said, that was not so. His hon. and learned Friend was mistaken.

Mr. GORST said, he thought it was quite clear that the conduct of any candidate at an election, whether he was the sitting Member or the person claiming the seat or not, might be the subject of the Report by the Election Judge. It was, therefore, quite possible, when the law was altered, that a candidate who was no party to the Petition, and who was not represented in the procedure, and who therefore had had no opportunity of being heard, might, under Section 3, be reported to have been guilty of a corrupt practice, and thus be rendered subject to all the penalties of Section 5, without having had an opportunity of being heard in his own defence.

The ATTORNEY GENERAL (Sir Henry James) said, he thought his hon. and learned Friend had somewhat magnified the effect of the Bill. It was not intended that anyone should be reported without having had an opportunity of being heard. He would take care that the words of the Bill should be carefully considered; and if there were any doubt as to the wording of the clause, he would remove it at a later stage.

Mr. H. B. SAMUELSON said, he thought the hon. Member for Londonderry (Mr. Lewis) had offered the Attorney General the strongest possible reason which could be adduced in favour of retaining the words which the hon. and learned Member for Bridport (Mr. Warton) proposed to leave out. The hon. Member said that if the clause passed in its present form it would destroy a candidate socially. Now, the object of the Bill was to put down bribery and its kindred offences; but, at the present moment, no real social stigma attached to the commission of these offences. It was because no real social stigma attached to them that such offences had become so rampant. If the clause would carry a social stigma and disqualification with it, and would cast a lasting slur upon an offender in the opinion of his fellow-men hereafter, he thought they would have done a very good work in passing it as it stood; and he hoped the Attorney General would adhere to the words as they now appeared in the Bill.

Sir EDWARD COLEBROOKE remarked, that any hon. Members who had served on an Election Committee in former days, or anyone who had watched the proceedings of such a Committee, must be aware that the evidence of bribery was generally of the lowest character. It was usually the evidence of people belonging to the lowest class of a borough or county constituency; and it would be open to any man of this class to take away, by hard swearing, the political life of a candidate, and fix upon him every description of offence. He thought the effect of severe legislation of this nature would be, in many instances, to induce the Judges to pause before finding a candidate guilty in such cases. Under the provisions of the Bill, as they now stood, the Judges would have no option whatever. It was proposed that a discretion should be given to them; but the Government objected to that, and compelled them to carry out the provisions of the Bill in every case according to the reading of the Statute. Now, he regarded this tribunal as a very valuable tribunal; but he thought the case was one which, considering the severe penalties both the candidate and the voter incurred, ought to be included in the Appeal Bill which would shortly come down from the Grand Committee. At all events, he was of opinion that it would require mature consideration into whose hands they were to put this power. He was inclined to agree with the right hon. Gentleman opposite (Sir R. Assheton Cross) that such an important decision ought only to rest with a jury, and not with a single Judge. No single Judge ought to have the power of taking away a man's character in the manner proposed by the present Bill.

MR. GIBSON said, he was disposed to support the Amendment. It was proposed that if a candidate were found guilty of a corrupt practice he should not be allowed to sit in Parliament for seven years. He quite agreed that if a man were convicted, and if the offence were brought home to him properly, the punishment should be severe. The consequences entailed by the clause had been noticed over and over again. If this clause were retained the Election Judges would strain a point in favour of a candidate; whereas if these severe punishments were modified there would not be much difficulty in inducing the Judges to arrive at a conclusion that there had been an improper election, that the election should be rendered void, and that the candidate should not be allowed to sit for that constituency, or for any other constituency, for a certain period. He was not now dealing, in the slightest degree, with a regular criminal procedure, or a regular criminal trial, but with the exceptional Court called an Election Court, constituted of two Election Judges, who went down to hold a local inquiry. The object of the inquiry was not to punish crime, but to report to that House. That was the primary object, and if they went beyond it might not be regarded as satisfactory from a personal point of view. They were willing to admit that it was reasonable that the Election Court should be enabled to say the election could not stand, and that the candidate should not be allowed ever to sit again for the county or borough, or to sit in the House of Commons for 10 years afterwards; but this Amendment said that when once that primary object was satisfied, it was not fair to say that the candidate should be visited with higher penalties, except in a Criminal Court, on a properly framed indictment, and on the judgment of his peers. He took issue with the Government at this point. If they sought to reach the candidate in an indirect way, as proposed by the clause, they ran an obvious danger—they would either subject men to punishment who did not deserve it, or else guilty men would escape, because the Committee would shrink from adding these enormous penalties.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that in 1868 the Colleagues of the right hon. and learned Gentleman who had just sat down proposed that the Election Judges should have the power to impose the consequences mentioned in the clause, although the right hon. and learned Gentleman now insisted that those consequences should not follow except on conviction by a jury. It hardly lay with the right hon. and learned Gentleman to oppose that provision in the clause, which was the subject of the Amendment before the Committee. The argument he had advanced amounted to this—that although he was willing that an Election Court should prevent a man sitting in the House of Commons for seven years, he was unwilling that that decision of the Court should disqualify him from sitting as a member of a Municipal Corporation. On the other hand, he would subject him to standing in the dock, and to paying all the expenses connected with a trial in a Criminal Court.

MR. GORST said, he had been very much impressed by the argument of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson). He thought, as he was listening to it, that it was one of a high Constitutional character; but as it appeared from the statement of the Attorney General that it had been given up by the Conservative Party 15 years ago, it was a little out of date, and they might, perhaps, fail if they were to set it up again. The Government were simply keeping to the procedure which had gone on for 15 years, and they were extending it merely to personal undue influence and treating. Everyone spoke as if bribery were a greater offence *sui generis* than treating; but he dissented from that altogether. All these offences, to his mind, were equally bad, and he could conceive nothing worse than for a person seeking a seat in Parliament by means of treating. He thought it even a worse offence than bribery, because it was more liable to be practised in cases where people were not so much alive to the danger of exposing themselves to it. That being so, in cases where the principle of the Bill was not extended, but merely applied to the power of the Judge to impose certain disqualifications upon a person who had been guilty of personal bribery, notwithstanding the Constitutional argument of the right hon. and learned Gentleman, he should be disposed to support the Government.

Mr. JESSE COLLINGS said, the argument used by the right hon. and learned Gentleman the Member for the University of Dublin appeared to him to be applicable to the whole of the clause. If they were to agree to the proposed Amendment, they might have the spectacle of a corrupt and dishonest man sitting in that House after seven years, during which time he would probably have been presiding as Chief Magistrate and Mayor of the borough. He thought that would be a most disagreeable spectacle, and for that reason he could not support the Amendment.

Mr. HENEAGE pointed out, that unless this clause were passed in its present form, the person disqualified might act as Returning Officer in the borough.

Mr. WARTON said, the defence of the portion of the clause which he moved to strike out suggested the conduct of a Judge who, having sentenced a man to 14 years' penal servitude, should say—"I may as well give you another year to make it up to 15." He trusted that in dealing with this Bill they would be able to banish all Party feeling, and proceed solely in the pursuit of justice. He could not assent to the doctrine that because a man had done wrong in the matter of an election, they should set aside the Constitutional principle that no man should be punished until he had been tried by his peers.

Question put, and *agreed to.*

Mr. MACFARLANE said, the Committee would observe that in the Amendment he was about to move he asked that an appeal should be allowed only in the case of undue influence. He should be glad to see a clause in the Bill which would provide for appeal in all cases; but it was especially necessary in that of undue influence, which was an offence incapable of proof. He should be content if the Amendment elicited from the Attorney General some statement as to the mode in which he intended to deal with the question of appeal. As he had no wish to take up the time of the Committee, but had every desire that progress should be made with the Bill, he would say no more than that he was very anxious to hear a statement from the Attorney General on the important subject of appeal.

Amendment proposed,

In page 2, line 18, at the end add,—"Provided always, That in all cases where the finding of the Election Court shall be that a candidate has been guilty of a corrupt practice of the nature of undue influence, such finding shall be subject to appeal to the proper Court of Appeal in England, Ireland, or Scotland, as the case may be."—(*Mr. Macfarlane.*)

Question proposed, "That those words be there added."

The ATTORNEY GENERAL (Sir Henry James) said, he felt some difficulty in dealing with the question of appeal upon the very narrow basis of undue influence only. Moreover, the Amendment of the hon. Member did not accord with the machinery of the Bill, which was very complicated and required the most careful handling. The House, too, might feel some hesitation in deputing its powers to a Court of Appeal. He had consulted with his Colleagues on the subject, and he was unable to accept the Amendment in its present form.

Mr. LEWIS said, he was desirous of relieving the Attorney General from part of his difficulty by moving to omit from the proposed Amendment the words "of the nature of undue influence," so as to make it apply to all corrupt practices. The necessity of insisting on the right of appeal was intensified by the severity of the clause. If the House decided finally that the clause should remain in its present form, the right of appeal was all the more important to the person coming within the law. It seemed to him that the policy of the House was to extend the right of appeal to all cases of civil or criminal damnification. The Election Court was a *quasi*-Criminal Court, having power to inflict severe penalties on persons found guilty of corrupt practices. There was nothing that he was aware of to remove its judgments from the principle which granted appeal in the cases of other Courts. He had always been of opinion that the Court which judged Election Petitions never had been properly constituted; and as they were about to enact an enormously severe clause that would operate on men under difficult circumstances, which were perfectly well known to all Members of the House—men who, in isolated cases, might lapse from political virtue—he thought they ought to make the decision of the Court open to appeal.

Amendment proposed to amend the proposed Amendment, by leaving out the words "of the nature of undue influence."—(*Mr. Lewis.*)

Question proposed, "That the words proposed to be left out stand part of the said proposed Amendment."

MR. GORST said, he hoped the hon. Gentlemen who supported the principle of the Amendments before the Committee would not proceed to discuss the question of appeal at this stage of the Bill, because any decision which might then be arrived at might prejudice the position of the matter hereafter. The noble Lord the Member for Woodstock (Lord Randolph Churchill) had given Notice of raising this question. When they came to a subsequent part of the Bill they would have to discuss the subject of the tribunal which was to try Election Petitions, and a proposal would then be made either that the Court should be more satisfactorily constituted, or that its decisions should be open to appeal. In view of the intention of the noble Lord, he would suggest that the Amendments before the Committee should be withdrawn, and the subject again taken up at a subsequent period.

MR. JOSEPH COWEN said, this was possibly not the most convenient time to raise the question; but it was, nevertheless, desirable that they should have some assurance from the Attorney General on the subject of appeal. That, he thought, would colour the whole course of the discussion. He had no objection to any reasonable amount of penalties, provided they could be assured that there would be no miscarriage of justice; but unless they had it from the Government that a man should not be made penally responsible for acts which he had not morally committed, they would have to discuss the matter at length.

MR. RYLANDS said, his view was entirely in favour of a Court of Appeal; but he thought it would be inconvenient and lead to an unsatisfactory result, if they proceeded to discuss the question at the fag end of this clause. He thought that any decision arrived at in those circumstances would be misleading, and that the discussion would, therefore, be simply a waste of time. If the Amendment went to a division, many hon. Gentlemen would probably vote against it who were really in favour of the principle which it contained. Therefore, he added his appeal to hon. Gentlemen opposite to allow the Committee to discuss the question at a future time. He thought the Attorney General had made as fair a statement as could be made at the present stage.

MR. MACFARLANE said, his intention, as he had already explained, was to draw information from Her Majesty's Government as to the course they proposed to adopt with regard to the subject of appeal. But he had not understood, as the hon. Member for Burnley (Mr. Rylands) appeared to have done, that the Attorney General had made any announcement of the Government policy. It must have been known to the Government that the question of appeal would be raised that evening; and he had no doubt they had decided whether they would agree to a Court of Appeal or not in principle. If he could get some such assurance as he had indicated, he was willing to withdraw his Amendment.

MR. MARUM also appealed to the Attorney General to indicate the policy which Her Majesty's Government intended to follow with reference to this subject. The difficulty, or impossibility, of attaching any idea to the words "spiritual injury" made it most necessary that an appeal should lie from the decision of the Election Court. He had a real desire that this Bill should pass into law in a proper form, and he certainly had no wish to make its provisions less stringent; but he did wish to prevent clergymen, who honestly discharged their duty, from being emeshed between the Canon Law and that portion of the clause which dealt with "spiritual injury, harm, or loss."

not see that this was the natural consequence of the severity of the clause, let their names be recorded on the Division List.

Sir CHARLES W. DILKE pointed out that the Amendment would disqualify a man for ever from holding a Crown Office; under the Bill, a man guilty of corruption was to be disqualified from sitting in the House for seven years, and from sitting for a particular constituency for ever; whatever period he was disqualified from holding local office, he would be disqualified from holding Crown Office. There was no intention whatever, on the part of the Government, to draw a distinction between Municipal and Crown Offices.

Mr. CAINE said, that if the hon. Gentleman the Member for Londonderry (Mr. Lewis) would look at Clause 5, Sub-section 3, he would see that—

> "A person who is convicted of any corrupt practice shall be not capable during a period of seven years from the date of his conviction: (*a*) of being registered as an elector or voting at any election in the United Kingdom, whether it be a Parliamentary election or an election for any public office within the meaning of this Act; or (*b*) of holding any public or judicial office within the meaning of this Act."

The clause was perfectly clear upon the point.

Mr. CALLAN said, he did not mean the Amendment as a joke, and he offered to withdraw it, because he was told by the President of the Local Government Board that the proposed Amendment had his sympathy. He fully appreciated the delicacy of the right hon. Gentleman's position, and to relieve him from the necessity of voting against the Amendment he was inclined to withdraw it. It was in consequence of the electoral corruption practised by Members of the Liberal Party that he drew up this Amendment. The Amendment was solely aimed at them; and because he had received the sympathy of the President of the Local Government Board, which would strengthen his case when he brought the matter up again, he asked leave to withdraw his Amendment, and he now wished it withdrawn from the consideration of the Committee.

Mr. JOSEPH COWEN said, the proposition, as he understood it, was simply to extend the penalties of the Bill to persons holding Office under the Crown from seven years to life. They had often been told, during the discussions of the Bill, that they should commence by punishing themselves. That was certainly a point on which they ought to apply great stringency; and if the Amendment were pressed to a division he should certainly support it.

Mr. WARTON desired to intimate, in the most direct and the most positive manner, his feeling that the Amendment ought not to be withdrawn.

Mr. BIGGAR said, it was quite evident that if a man had a prospect of getting £5,000 a-year, he would be disposed to bribe very liberally. He did not know whether the hon. Gentleman the Member for Scarborough (Mr. Caine) was in favour of the Bill or not; but if he had no stronger argument to use than the one he had just employed, it would be worth his while to read the Bill more carefully.

Sir R. ASSHETON CROSS said, he did not think the Committee quite understood that the Bill, as at present drawn, did subject any person who bribed to the penalty of not holding any public office for seven years. Now, the Bill also had gone to this extent—he was sorry it had because he considered it was a mistake—of disqualifying a person who had been convicted of corrupt practices for ever sitting during life for the particular constituency where the corruption took place. That was put down, not for the sake of the man himself, because he might go to any other constituency at the lapse of the seven years, but because of the fear that the corruption he had been guilty of would prove of benefit to him if he ever offered to sit for that place again. They could not say that that applied to the case of Cabinet Ministers, or to any case under the Crown at all.

Mr. CALLAN said, he was perfectly aware, when he introduced the Amendment, that a disqualification from sitting in the House for seven years was provided, for anyone who read the Bill would see that at once. The right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) referred to a reason why a man was disqualified for sitting for a constituency for ever. He fully agreed with the right hon. Gentleman that a man ought to be disqualified for ever again sitting for the constituency he corrupted.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 4 (Punishment of candidate found, on election petition, guilty by agents of corrupt practices).

SIR R. ASSHETON CROSS said, an Amendment was standing in the name of the hon. and learned Gentleman the Member for Chatham (Mr. Gorst). He understood that the Amendment was to be moved, although, unfortunately, the hon. and learned Gentleman was not now in his place. He (Sir R. Assheton Cross) found it necessary that some discussion should take place on the question, because they were now approaching what was one of the most vital points of the Bill; and, therefore, he would move the Amendment which stood in the name of his hon. and learned Friend. It was, on page 2, line 22, to leave out "any of the candidates at such election," and insert—

> "Any person acting for the promotion of the election of any candidate at such election in any capacity to which he has been appointed by such candidate, or in which his assumption to act has been adopted or recognised by such candidate."

They might have had some doubt as to the severity of the penalties when bribery or corrupt practices were committed by the candidate; but they had no doubt whatever that they ought to be punished. Now they were coming to a different state of things; and as that was the first time that the question arose, they ought to state very shortly what were the principles which ought to guide them. The great difficulty in all cases of bribery was how far the candidate could be made responsible for the acts of his agents. This was one of the most serious questions with which they had to deal. There could be no doubt that a candidate might go down to any place, with the most pure intentions possible, and might have made up his mind that he would have nothing to do with anybody who would endanger his election, or anyone who would engage in illegal or corrupt practices; he might use the greatest care in selecting his agents; he might be returned by an enormous majority; but then he might find out afterwards that some indiscreet person had done some indiscreet act, that no one ever wanted him to do, that was against the candidate's positive instructions, and which, if it had been brought before the notice of the candidate, he would have absolutely repudiated. That a man should be held responsible for that indiscreet act, and subject to all the terrible consequences of the Bill, he (Sir R. Assheton Cross) considered unreasonable. He could not help thinking that although there was always very great doubt as to the proceedings of the old Election Committees of the House, the doctrine of agency had been driven very much more home since it had been in the hands of Election Judges. The House of Commons had, rightly or wrongly, acted as a tribunal to try these cases, and by some sort of equitable jurisdiction; but when they handed that over to the Judges the Judges were bound to administer the law strictly, and then came the question of what was the Law of Agency. This had been interpreted by different Judges in different ways; and the result had been that by this time they might have found out what agency was, but the application of the law in each particular case rested on the decision of a particular Judge, and no man against whom a Petition was lodged could know whether he was safe or not. Although he was as willing as anyone to put down corrupt practices, he thought the House should, in some way, protect the candidates. Otherwise, with these terrible penalties, many people would refuse to stand rather than run such risk; and he also feared that the best class of election agents would refuse to act, because they would be made responsible, under very heavy penalties, for what they had never meant to do, and which, in fact, they had directed should not be done. There were two ways of meeting this evil. He admitted that it was a very difficult question to approach; but one method would be to define was an agent was, in order that the candidate might, somehow or other, make himself safe, provided, at the same time, the clause could be framed in such a way as not to allow the candidate to evade the law in consequence of the definition. A second method was to leave the Law of Agency as it was, and then give to the Judges a sort of equitable jurisdiction, such as this House used to exercise. This was a point that vitally affected the seat of every Member in that House; and he would undertake to say that, with the exception of those

Members who represented the Universities, not a man could say he knew he was safe. The House ought not to be in such a position, and he urged the House to get out of that position. He wished to punish people who were guilty of corrupt practices; but he wished also to protect the honest candidate, and if that could be effected he should be perfectly contented with the Bill.

Amendment proposed,

> In page 2, line 22, to leave out the words "any of the candidates at such an election," in order to insert the words "any person acting for the promotion of the election of any candidate at such election in any capacity to which he has been appointed by such candidate, or in which his assumption to act has been adopted or recognised by such candidate."—(*Sir R. Assheton Cross.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir CHARLES W. DILKE said, he quite agreed with everything the right hon. Gentleman had said with regard to the importance of this clause; but the right hon. Gentleman had said a great deal more of the principle than of the words of the Amendment, and he rather gathered that the principle for which the right hon. Gentleman had contended might have been raised by better words. There were other Amendments later on which raised the same principle, and perhaps some of them would be less objectionable than the words chosen by the hon. and learned Member. One portion of the Amendment, he thought, was rather objectionable, while another portion appeared to be merely a statement of what the existing law was with regard to agency. The words "any capacity to which he has been appointed by such candidate" appeared to involve a point which was raised last year as to the necessity of an actual appointment, probably in writing, or in some other formal manner, by the candidate; and if agency was limited to persons directly appointed in that way by the candidate, that would be adopting a principle which would destroy all the good effects of this Bill, and make the Bill worse than the present law, in the sense of weakness or deficiency, and he should be disposed to recommend the abandonment of the Bill. The hon. and learned Member for Chatham (Mr. Gorst) then put in words which weakened the efficacy of the Amendment—namely—

> "Or in which his assumption to act has been adopted or recognised by such candidate."

That he regarded as being merely a statement of the existing law. His own opinion was that, dangerous as it might be in certain cases, it was a lesser danger, on the whole, to leave the Law of Agency somewhat vague. The moment they attempted to tie down and limit the Judge on the question of agency, they put a difficulty in the way of those who had to administer the law; because they at once encouraged candidates to try to evade the law by keeping themselves just within the provisions of the Act of Parliament. If they required a definite appointment of an agent they would never get it. If the law was strict upon this point, and not left, to a certain extent, to the discretion of the Judge, the candidate would not appoint any agent, but would allow the election to be conducted by persons of whom he knew nothing; while in many boroughs he would not be called upon to provide the funds, and he would not have the smallest provable connection with the proceedings. There might be a corrupt constituency in which there was a very active local Party organization with large funds. That state of things would be increased if they had a strict definition of agency; and, therefore, his own opinion was that it was desirable to have a certain vagueness and elasticity in the law, in order to allow the Judges to themselves look into a case of corruption, and see whether there was substantial and real agency on the part of the person committing the corruption, or not. That was his view; and these proposed words, he thought, were open to objection.

Mr. H. H. FOWLER said, he thought this had become one of the crucial points of the Bill, and he was disappointed that the right hon. Gentleman had left the Committee in the dark as to the course the Government intended to take. He had, with great force, raised reasons against defining the Law of Agency, although the definitions of agency under which the Judges had acted were contradictory and unintelligible in the extreme. Under the old tribunal there was, practically, a jury as well as a Judge. The Committee of the House of Commons was, practically, a jury of experienced and competent men, who could appreciate the administration of the law under the difficult circumstances before them, and could practically define what was or was not, from a common sense point of view, agency; whereas the Judges felt bound by the strict letter of the law as previously stated by some other Judge. This was, perhaps, hardly the time to raise a question which would come up on other Amendments moved from all parts of the House, raising the question of what the hon. and learned Member for Plymouth (Mr. Clarke) called equity cases—the principle which Lord Bramwell strongly urged on the Committee of 1865—namely, of giving Election Judges the power of relaxing the stringency of the Law of Agency. He would not argue that now; but he thought the Committee were entitled to know what was the position of the Government upon this question. If they meant to offer a stern resistance to any relaxation of this law, hon. Members would have to fight the battle now; but if they would intimate that they were prepared to provide in this Bill a mode of preventing cases of gross injustice, such as had occurred in the past, the House would then know what the position was, and that would smooth the progress of the Bill. He should reserve any further remarks until he heard what they intended to do.

Mr. JOSEPH COWEN entirely agreed with the hon. Member (Mr. H. H. Fowler). He had listened carefully to everything the right hon. Gentleman (Sir Charles W. Dilke) had said; but he could find no guidance from it at all. Here were five or six Amendments, giving a wide area of selection, and if the Government would say which they would choose there might be a practical discussion; but if they stood to the Law of Agency as it was in the Bill, he was afraid that would lead to a very prolonged debate, because if the Bill passed with the clause as it now was, no man having any respect for himself would commit himself to a candidature. In certain constituencies in this country it was absolutely impossible for any man, however good his intentions and however pure his spirit, to fight an election without rendering himself liable to a terrible punishment. He had an Amendment down specifying that an agent should be duly appointed and authorized in writing to act. He could see there might be objections to that, and he was quite willing to admit them; but some other words he must insist upon having. Therefore, before this discussion assumed a practical form, he hoped the Government would say distinctly how far they meant to concede this point, or whether they did not mean to concede it at all.

Mr. LEWIS said, it was obvious that even the weight of certain distinguished names attached to some of these Amendments would not carry them into the Bill. It was impossible, for instance, to agree with the Amendment of his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard), providing that, to be made liable for the acts of an agent, such agent must be appointed by the candidate. It was clear that the result which would follow agency by appointment was likely to be that one agent would be appointed, and bribery be done by all the rest. They would not have seen many of these Amendments on the Paper, if there had not been this affinity between this question and the Proviso which gave a dispensing power to the Judges. The two questions were connected and dovetailed one with another, and he had not the slightest doubt that what the hon. Member for Newcastle (Mr. Joseph Cowen) and other Members said was true—that if they could not extract from the Government a clear intention to open some door for relief from the present injustice which was felt as to the operation of the election law through men being held liable for some petty action by an agent, contrary to their whole life, and to the general tenour of their proceedings and instructions, they would have to fight this question of agency as best they might, even though it might be a hopeless task to attempt to define the word "agency." With reference to the particular Amendment under discussion, he should be very sorry to place a candidate in the position proposed by accepting that Amendment. If a candidate recognized a man in any capacity whatever during an election, he would be answerable for all his acts, and that would be a great deal worse than some of the Judges' decisions. The Attorney General, with all his legal acumen, had not struck upon the right words. There must be further consideration of the matter; and he could only join in the chorus of inquiry from all parts of the House as to the view of the Government upon this question.

Mr. HINDE PALMER said, he thought this Amendment brought the Committee face to face with the whole question, which would have to be raised very soon. There were only two ways of meeting this difficulty. One was to define agency, which he thought was a hopeless task; the other was to give to the Judges something like equitable jurisdiction—a power to take a just and right view of each case according to the circumstances. He believed the latter course was the only way in which the question could be dealt with; and he thought the Attorney General, when he saw what the feeling was on both sides of the House as to the injustice of the present state of the law, would feel the necessity of meeting the case in some degree. He did not believe it could be met by anything like a definition of agency; and the objection he had to the Amendment was that it involved, in some degree, a description of agency. This was not a convenient time to raise this question; but there were several Amendments on the Paper which sought to effect what was now desired, and of those he thought that of the hon. and learned Member for Plymouth (Mr. E. Clarke) was the best. As had been said, some intimation from the Government as to the mode in which the Government would, by-and-bye, deal with these Amendments, would greatly facilitate the progress of the Bill.

Mr. GORST said, the words of this Amendment were not his words, but were the words of Mr. Justice Lush. He was quite aware that the definitions of all the Judges were not to be applied to all cases; but these words were taken from the carefully-considered Judgment of Mr. Justice Lush in the Harwich case, in which he attempted to give a definition of agency; and he had put them on the Paper with a view to raising in a definite form the question whether it was desirable, and, if desirable, whether it was possible, to define the meaning of "election agent;" and, therefore, so far as there was any credit or discredit attaching to this particular definition, he must disclaim any title to either the one or the other. The question was, whether it was desirable, and, if desirable, possible, to define an election agent? He was aware that the Government in this clause were seeking to improve the existing law; but their clause was the law as it stood. The various Amendments on the Paper were attempts to alter the existing law; and the burden of proof rested, to a large extent, upon them. He thought there was a very wide and general feeling throughout the country among those who had considered this question that the Law of Election Agency and the decisions of the Election Tribunals were not altogether satisfactory—that, in the first place, the careful and the cautious and innocent candidate was liable to be involved in acts which he had not only not authorized, but which he had taken the utmost possible pains to prevent; and, in the second place, the Judges being tied down by the narrow words of the existing law, were compelled, as in the Bristol case, to unseat a candidate who was the free and the undoubted choice—and the choice by no corrupt means—of the vast majority of the electors. He thought it was desirable that the existing law should be altered, so as to be made a good deal more in consonance with public sentiment and public ideas of justice. The very phraseology of this clause was extremely misleading. A man might be guilty of any act, from murder downwards, by his agents; but that was when he had employed some person to do it, or had connived at it. But here the clause spoke of a man being guilty by an agent; but he might not only not have given any instructions for corruption, but given direct instructions to the contrary. He did not like the language of the present law. It was extremely difficult and dangerous for candidates to observe the present law, because no man could know what he was responsible for and what not. If there was any possibility of a candidate, by any care or caution, or by any legal assistance, limiting the circle of those for whom he was responsible, a man might go into an election with a comparatively light heart; but every man who had stood an election knew that he was placed in the power of undefined persons whose names he did not know, and of whose actions he was ignorant, and that, after making every effort to conduct his election with purity, he might find that the act of some unknown and unauthorized agent had rendered all his labour fruitless and his seat void. He quite agreed that there were two ways of meeting this admitted imperfection in the law. One was by attempting to define an agent, and so limit the persons for whom the candidate was responsible; and the other was by giving the tribunal which tried an Election Petition a sort of equitable jurisdiction, by which it might have power to acquit an innocent candidate, and relieve him from disqualification and the loss of his seat. He was not at all bound to either of these methods, and he had only proposed this Amendment in order to raise the point. He had not moved this Amendment in order to embarrass the Government, but to raise in a definite form a question which the Committee must consider and decide; and although it was, perhaps, inconvenient to discuss both matters at the same time, when the Government and the Committee had come to a general understanding as to the particular mode in which the case was to be met, he should be in the hands of the Committee, and would withdraw the Amendment and adopt that which was in accordance with the general sense of the Committee. At the present moment they had really entered upon the most difficult question. He felt sure that the Attorney General was not wedded to the particular phraseology of his own Bill, and that everything said by any hon. Member to assist in the solution of this extremely difficult question would receive careful attention at the hands of the Government. If they should be so fortunate as to arrive at anything like a general understanding as to the best mode in which this question could be settled, he would at once withdraw his Amendment.

Mr. M'LAREN suggested to the Attorney General that, unless he was able to propose an Amendment to cover some of the grounds set up, he should withdraw the clause for the present, and let them proceed with the Bill.

Mr. T. P. O'CONNOR said, that if anybody had any doubt as to the importance of the clause, he had only to take up some of the decisions in similar cases. To him some of those decisions were extremely comic. He found in the Stroud case that a person who was not a committee man, or even a canvasser, was held to be an agent, although the sitting Member's agent had distinctly told him he could not be employed. He was actually told by the candidate that he was not wanted there; but still he took upon himself the duty of canvassing, and other duties, and succeeded in invalidating the election. In another case, he found it laid down that the son of an agent was not necessarily an agent, but a wife was; so that a candidate was not only responsible for his own acts, and the acts of his agent, but he was also responsible for any indiscretion that the wife of the agent might commit. He (Mr. O'Connor) did not think it was his business to dwell upon that part of the case, because it was familiar to most of the hon. Members who had taken part in the discussion. He only wished to speak upon the clause from the standpoint of an Irish Member. The other night, when referring to the question of agency, he said that, so far as he could judge from the decisions of Irish Judges, any candidate who was accepted by the priests would be held responsible for every act done, and every word spoken, by every priest who supported his candidature. He then only had read the cases cursorily; but now, on looking into the authorities more carefully, he found that Mr. Justice Fitzgerald, in the Limerick case, stated that if he found that priests made the cause of the candidate their own, and gave him their countenance in every parish; if it turned out at the time of the election a candidate represented his cause as identical with that of the clergy; if he were accompanied through the streets by the clergy canvassing, he (Mr. Justice Fitzgerald) would doubt long before he said that the candidate was not responsible for the acts of those priests in the several districts. Now, what did that mean? Let them take a large county like Cork, in which there were a large number of towns. In Cork, as in other counties in Ireland, there was usually a meeting of the clergy to decide on their candidate during an election contest. The priests of County Cork met, the views of several candidates were put before them, and they selected one of those candidates. So that candidate, in a county which was scores of miles in extent, was held responsible, under the decisions of the Irish Judges, for every word that might be spoken on 100 platforms, or from 100 pulpits. Let them take another case—that of Galway. It was there held that a letter from a sitting Member to a Roman Catholic priest, three months before the election, proposing a clerical conference of three dioceses, to settle how far tenants should go against landlords, and proposing, also, the organizing of meetings, would constitute every Bishop and priest his agent. He (Mr. O'Connor) did not suppose that the hon. and learned Gentleman the Attorney General would stand up in his place and say that he agreed with the law as laid down by the late Mr. Justice Keogh in that case, though he remembered that at the time the present Attorney General was one of Judge Keogh's doughtiest champions in the House and elsewhere. He (Mr. O'Connor) would like to remind the Committee of the position in which they were placed by the Government. Speaker after speaker had risen in different parts of the House—from the Front Opposition Bench, from the Benches below the Gangway—and asked the Government what they meant to do, and, up to the present, the only speech they had had from the Government was that of the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), who did not know anything about the question, but who was willing, apparently, to be led by the Committee. The Attorney General sat there in silence, and he had not ventured to rise, although there had been long pauses. Did the hon. and learned Gentleman mean to stand by the clause as it was at present framed, or had he a set of words ready to spring on the Committee, and which he was only keeping back until a certain time had expired? If that was the case, the hon. and learned Gentleman alone would be responsible for any waste of time that occurred.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, it was necessary for the Committee to consider, with very great care, the position which had to be assumed with reference to this clause. The Bill which they had under consideration was a Bill for preventing and diminishing corrupt practices at elections. The clause they had now under consideration proposed to make an alteration in the existing law. But the question they had under consideration now was not the prevention of corrupt and illegal practices at elections, but the protection of candidates at elections. That was the whole scope, purpose, and object of all the observations that had been made, as it seemed to him, without a reference to, or a consideration of, what their consequences might be in promoting and increasing corrupt practices at elections. He did not, for a moment, say that hon. and right hon. Gentlemen were careless about this matter. But when they had before them Amendments, which undoubtedly concerned themselves, which it was to their personal interest to promote, and to put into a Bill of this description, they ought to consider, in the first place, and above all things, whether there was any danger to be apprehended from those Amendments in increasing corrupt practices at elections rather than diminishing them. They ought to be suspicious; they ought to be jealous of introducing any diminution or mitigation of the present law. He thought he was justified in calling on the Committee to carefully consider Amendments of this sort; because they were there professedly, and he believed honestly, to endeavour to diminish corrupt practices; and it would be a disastrous thing if it could be said that they were so anxious and eager about protecting themselves from the consequence of corrupt practices, that in their eagerness they were not quite so careful about how the Amendments that were suggested might operate. He did not think anybody for a moment would deny that if they were to accept the Law of Agency as was suggested in some of the Amendments, they would have done even more than they could in any other way to render corrupt practices at elections almost certain. If they provided that the candidate should only be responsible for the acts of this or that, or the acts of other persons, they would open the door at once to a flood of corruption, and they would render corrupting even more certain than at the present time. He did not dispute that there had been cases in which persons had been held to be agents where it would have been expedient that they should not be so held; but it simply amounted to a choice of evils. The only security they had for purity of election was that there should be no persons who could corrupt the constituencies; but the Amendment said that an election should stand provided there had been no corrupt act on the part of A, B, or C. By the adoption of the Amendment they would have corruption infinitely more widespread than it was before. He was not saying this in hostility to what Members had in view; on the contrary, he shared their feelings in this matter, and in every other which had for its object the prevention of corrupt practices. But, on the other hand, when they were dealing with a measure of this sort, he was bound to state plainly that, in his opinion, the limiting of agency by attempting to define individuals would enormously increase corruption, because it would make it possible without the Member losing his seat. In this way a place might be corrupted wholesale, and yet they would be unable to bring home a case to any person. It was true that by the Amendment proposed Members might protect themselves; but they would then only be practising a sham, because instead of preventing corruption, which was the object of the Bill, all they would achieve would be to protect themselves. It was upon that ground that he objected to the Amendment of the hon. and learned Member for Chatham (Mr. Gorst). In making these remarks he was speaking his honest convictions; but, at the same time, he wished the Committee to understand that he had every desire to settle in a satisfactory manner this question of agency, if he could see his way to arrive at that result. There was a proposal, not connected with the subject of agency, that would come forward when a later part of the Bill was reached, which he would not discuss then. It was, however, an Amendment that would have to be considered and fully debated. It seemed to him that it would be disadvantageous to mix up the discussion of the two subjects; because, whatever conclusion the Committee might come to on the equity of the clause, or the discretionary power of the Judges, he could not help thinking that great mischief would be done by adding anything which any of these Amendments suggested with regard to agency. On the grounds they had put before the Committee, Her Majesty's Government could not be parties to accepting any of these Amendments, because they saw no reason whatever in favour of limiting the definition of agency. The whole ability of the House had been at work upon this scheme of defining agency for some weeks past. Hon. Members opposite and on that side of the House had all been trying their hands at it; but he had not seen anything produced that could be regarded as satisfactory. The Government, therefore, could not entertain the hope of being able to produce anything that would be satisfactory to the House. Hon. Members could not but suppose that the Government had carefully considered this subject; they had scrutinized every one of the definitions upon the Paper, none of which they had been able to adopt; and if they could not hit upon any satisfactory device, it was because they could not do that which had been found to be impossible by others.

Mr. GIBSON said, he had listened with great regret to the statement of the Solicitor General. They had debated this question for a long time, and every one of them had recognized the importance of the discussion, as well as acknowledged the great difficulty of the question. But he had to remind Her Majesty's Government that, although the debate had been going on for a considerable period, every single speaker who had taken part in the discussion, except the right hon. Gentleman on the Treasury Bench, had spoken either for the Amendment or for the idea which it covered. The Solicitor General had also pointed out this fact—that Members of the House on all sides had loyally endeavoured by Notices on the Paper to suggest various solutions of the question. Notwithstanding that the subject was a difficult one, everyone had endeavoured, as far as their ability went, to give the Government all the assistance in their power; and thus it was that a number of Amendments had been put down indicating some possible solution of the question. He had hoped that before the Solicitor General concluded his remarks he would have indicated not only the danger of interfering with the law, but also what Amendment later on he would be prepared to make. His hon. and learned Friend, in framing his Amendment, had adopted the words of Lord Justice Lush —language spoken judicially and in no dogmatic spirit. They had merely raised a discussion upon the question, and had indicated that they would be satisfied to withdraw the Amendment, if the Government would say which Amendment standing upon the Paper they would be satisfied to accept, or what modifications they would themselves introduce. It was obvious that this discussion must go on for a considerable time in the very nature of things, unless some indication were given of the intentions of the Government. It was impossible to imagine a more important topic than that which was under discussion; and if the Government were not prepared to say more than that it was a difficult question, that many solutions had been suggested, and that they were not prepared to accept any one of them, it was only natural to expect that the debate would continue until they had made up their minds. The Solicitor General had admitted that he was not prepared to say that some of the decisions under the present law should not have been given. He took it that that admission implied that there should be some change in the law. But no such alteration was proposed in the Bill. It was therefore for the Government to say what alteration, in their judgment, was necessary. If the existing law had been found to work without gross injustice in particular cases, they would have been satisfied with its remaining unaltered; but the admission of the Solicitor General practically conceded that the existing law required revision and change. If the Law of Agency allowed a corrupt agent to penalize and unseat a Member, he said that it was one which required revision and amendment. Now, the Solicitor General said they must be very careful with regard to all Amendments which might be attended with the disadvantage of increasing corrupt practices. He admitted that; but surely they should take care that there was some provision introduced into the new Act that would prevent injustice being done to innocent candidates. Now, the Solicitor General had conceded that there were some decisions under the Law of Agency which he regarded as having worked injustice to innocent candidates; and surely with this admission they were entitled to say to the Government—"If you will not take the Amendment before the Committee which contains the judicial words of Lord Justice Lush, will you take later on one of the Amendments in the names of one of the Members for Wolverhampton and Plymouth, which enabled the Election Court to take excuses, and to consider from an equitable point of view what are the acts charged?" But he was not concerned in indicating to the Government a particular Amendment out of the vast number upon the Paper which they should select. It was for the Government to make their own choice. His hon. and learned Friend the Member for Chatham presented this Amendment to the Committee as one which offered some solution of the difficult question before them. The Solicitor General, at the close of his speech, had pointed out that there was one Amendment which the Government might be prepared to discuss later on. That was not a very large concession, but it was a satisfactory statement. They had expected that some indication would have been given that one or other of the Amendments on the Paper would be accepted; but the Solicitor General had held out no hope of this, and the Attorney General had not spoken upon the Amendment at all—the Old Guard was kept for the final charge. He would not detain the Committee further than to say that this 4th clause was one of great moment, and that he believed that if the Government would give some indication of what they were willing to do, it would possibly shorten the discussion, and allow the clause to be passed without any undue delay.

Mr. RYLANDS said, he had listened with considerable disappointment to the speech of the Solicitor General. He had come down to the House in the expectation that the Government would have been prepared to make some reasonable concession in this matter, in order to meet what they must have known to be the general feeling of Members with regard to the present clause. They were going by this Bill to include in the severer penalties a number of things which were not formerly so included; and they were asked, in the face of that increased responsibility and difficulty, to leave the question of agency untouched, and that, too, by the hon. and learned Gentleman the Solicitor General, who had not hesitated to admit that the existing law with regard to agency had inflicted serious injustice upon certain individuals. Were they to be asked by Her Majesty's Government to enable them to so spread out the meshes of the law in regard to agency until they could inclose innocent candidates? That was the very essence of the question. The admission of the Solicitor General, that a certain number of men had been unjustly condemned because the interpretation of the law had been drawn too far, was very significant. Let hon. Members consider what that meant. Supposing that the hon. and learned Gentleman himself had been petitioned against with regard to his seat for the borough to which he was elected, and suppose that one of the Judges improperly decided that a certain disqualifying act had been committed by persons who were held to be his agents, then the hon. and learned Gentleman would have been excluded, had this Bill been in operation, from Parliament for seven years. Was it not monstrous that the Government should ask the Committee to adopt a clause providing severe penalties, and, at the same time, admit that it was surrounded with great danger? They were asked to support the Government in what he must call a piece of most dangerous and slipshod legislation. It might be said that they were in favour of corruption; it might be said that they were not in favour of restraining it, at all events by proper legislation; but some, at least, of them could appeal to their past history to show that they had never been engaged in any borough where there had been any large amount of corruption. He challenged anyone to assert that he had ever been engaged in anything of the kind. Therefore, he considered it right to claim for candidates who sought to prevent corruption in their constituencies that they should not be exposed to the penalties of the Bill without due protection. He called upon the Attorney General, from whom he thought they were entitled to have a distinct reply, to make some statement on this matter. He thought the hon. and learned Gentleman must either agree to a limit in this definition of agency, or agree to insert in the clause an equitable provision, which would protect candidates from such proceedings as had taken place in former cases; and if the hon. and learned Gentleman could not see his way to do that, he thought they must regard the further progress of the Bill with some degree of doubt.

MR. HORACE DAVEY said, he was sure no one in that House accused the hon. Member for Burnley of having anything to do with corruption of any kind. But he thought the hon. Member had somewhat overrated the effect of the particular clause under discussion. The hon. Member had spoken of a candidate, found guilty of corruption through the act of an agent, as being excluded from Parliament. But if he had read the clause more carefully he would have seen that a Member was only excluded from sitting for the borough or county for the time specified. The question they had to deal with was this. Was it possible to introduce into this Bill a definition of agency, and, if it was possible, would it be expedient to do so? Now, the difficulty of defining agency, so as to include every possible case, was admitted on all hands; and it must, therefore, be conceded to be extremely difficult to give a satisfactory definition of the term. For himself, he should be exceedingly sorry to attempt to do so. Although he had tried his best, he had found it perfectly impossible to produce any definition which would include every possible case. The Committee must bear in mind that those who were promoting this Bill had to cope with an exceedingly astute and able set of men—the people called election agents—who were perfectly ready and able to avail themselves of every loophole which might be created by the wording of the Bill. He was certain that any definition of agency which they could give would still leave some cases untouched, of which opportunity would be taken to commit the corrupt practices which it was the object of the Bill to prevent. He would not take up the time of the Committee by going over the Amendments bearing upon this question upon the Notice Paper; but he thought the Committee would admit that not one of them would prevent the evil which they had to contend with. The Amendment standing in the name of the hon. and learned Gentleman the Member for Launceston (Sir Hardinge Giffard) contained these words—"Any person expressly appointed by the candidate himself." But he would point out that any person desirous of winning an election by corrupt practices would take care that the person, or agent, by whom this corruption was to be carried out, should not be expressly authorized by him, and that, in all probability, even the name of the individual would not be known to the candidate. If hon. Members would take any one of the Amendments, they would see that it pointed out the easiest possible way by which the enactment could be set at nought; to use a vernacular expression, a coach and four could be driven through any one of them. If they attempted to put into the Bill a definition of agency, even supposing such a definition could be arrived at, they would be simply making themselves ridiculous; and it would afford the strongest grounds to the country for saying that the object of the Bill was to protect the candidate, and to leave the constituency exposed to corrupt practices. He was therefore opposed to any attempt to introduce a definition of agency. He believed it to be impossible to frame a satisfactory definition; and, moreover, if it were possible to do so, he did not believe it would be expedient, because that definition, however complete it might appear to be, would, of necessity, leave a loophole which an astute election agent would be able to avail himself of. With regard to the Amendments upon the Paper which dealt with excuses, if any satisfactory form of words could be found he should not be opposed, in principle, to providing that, in trivial cases, where a candidate was really innocent of the acts committed by a person technically his agent, the Judge should have discretion to deal with such cases in such a way as not to affect the election. The hon. Member for Wolverhampton (Mr. H. H. Fowler) and the hon. and learned Member for Plymouth (Mr. Clarke) had Amendments upon the Paper with reference to this subject; but as they were not then before the Committee it would be out of Order to discuss them. Although a particular wording had been introduced by those hon. Gentlemen, he thought the principle they contained well worthy of the consideration of the Government. But with regard to the question now under discussion, he was opposed to any attempt to import into the Bill a definition of agency.

MR. EDWARD CLARKE said, he was glad to hear the speech of the hon. and learned Gentleman who had just sat down; because, although he had declined to discuss the Amendments to come forward with regard to the question of excuses, he had given his support to the principle which they embodied. Although it was not in Order then to discuss the details of the 6th clause, it was important to the Committee to have some indication from Her Majesty's Government as to whether they were prepared to agree with the Solicitor General or not in the statement he had made. If the Attorney General would get up and say he agreed with the view expressed by the Solicitor General, and that he would accept one of the Amendments, or would endeavour to put them into more proper language, then he thought they might get to the end of the present discussion without farther delay, and deal with the rest of the question. He was disappointed with the speech of the Solicitor General, because it appeared to him that he did not recognize the real difficulty before the Committee; although he admitted that in some cases people had been held to be agents, and that candidates had been punished for their acts, when in justice they should not have been so treated. That amounted to an explicit expression that Members had lost their seats in that House, and had been subjected to severe penalties, not only apparently, but actually, because the Judges had carried too far the interpretation of the law. If that were so, it was obviously the duty of the Law Officers of the Crown to endeavour to find some remedy for that evil, and that remedy must be found in one of two ways. Either they must define the person for whom the candidate was liable, or else they must give the Judge some equitable discretion. He admitted the difficulty of defining agency; because, unless they were extremely careful, the definition put upon it would only be a cue to the corrupt person as to how far he might proceed. Everyone recognized the difficulty of defining agency for the purpose of the Bill; but, at the same time, everyone recognized that a definition must be found. The Amendments which proposed to deal with excuses did not excuse wrong in the person who had done it, but protected perfectly innocent persons from suffering, for a wrong committed by another, the severe penalties which must be part of every Election Law. Now, it was most important that there should be some way of remedying this evil. On a former occasion he had quoted the opinion of Lord Bramwell, and in doing so he had used words of considerable authority; but there were other words which he might have used of much greater weight for the purpose of this discussion. In the Committee of 1875, one of the Resolutions proposed was—

> "That if on evidence the Judge should find that the election was a pure one, and that the existence of bribery, treating, and intimidation was exceptional only, and such as could not have an effect upon the result of the election, the Judge should not unseat the Member."

The author of that Resolution was the hon. and learned Gentleman the Solicitor General; so that in 1875 the Solicitor General recognized that a state of things existed for which it was desirable that some remedy should be found. He did not put that Resolution before the Committee.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL): I did put it to the Committee, but it was defeated.

MR. EDWARD CLARKE said, he was glad to hear the statement of his hon. and learned Friend. The Resolution in question was supported by the opinion of Lord Bramwell. He (Mr. Clarke) urged on the Government that these two questions were correlative. They must either define agency, or they must give an equity clause. If the Government said they were prepared to accept the latter solution, or that they were prepared to find some modification of the clause, he believed hon. Members would be glad to surrender the difficult task of endeavouring to define agency. He hoped the Committee would refuse to go to a Division on the Amendment until they heard from the Treasury Bench what was intended to be done.

MR. HOPWOOD said, he thought there was great inconvenience in the tone adopted by several Members on the opposite side of the House. They were told that the question involved in the present Amendment was a most difficult one to settle. Every speaker who had addressed the Committee had said it was impossible to define agency in the sense in which he wished it to be defined; and yet hon. Members who had spoken from the opposite Benches had recommended the Committee to continue the discussion on a matter so difficult of settlement until the Government was prepared to offer some definition of their own. He thought that was altogether out of Order. He declined to discuss the question of excuses upon the Amendment which was then before the Committee. The right hon. and learned Member for the University of Dublin (Mr. Gibson) had made a hectoring speech which had in no way assisted the Committee, inasmuch as it did not offer the slightest solution of the question as to how this matter was to be settled. The matter stood thus. It was said that it rested in the discretion of the Judges to decide what constituted an agent, and that in exercising such discretion the Judges had occasionally made mistakes. The same thing might, of course, be said with regard to matters of Criminal Law which depended upon the decisions of the Judges. But what was the cure to be applied? The hon. and learned Gentleman opposite (Mr. Gorst) had taken great pains in drafting his Amendment. The first part of it ran thus—

> "Any person acting for the promotion of the election of any candidate at such election in any capacity to which he has been appointed by such candidate."

The Committee would see, with regard to the first part of the Amendment, that the corrupt work might be done by a person who was not appointed. The proposal of the hon. and learned Gentleman amounted to this—that a man was not an agent of a candidate unless he was appointed by him; he had to be appointed either by word of mouth or in writing. If the hon. and learned Member had failed to give them an acceptable definition, after all the pains he had taken in the matter, the Committee, who had an opportunity of comparing his Amendment with the rest of the Amendments on the Paper, would be able to say that agency could not be defined in any way. If they attempted to define it they would create a large field for corruption, and defeat the very purpose of the Bill. He submitted that they ought now to go to a Division.

MR. GREGORY said, that, no doubt, they were on a point of considerable difficulty and of equal importance, and it was desirable that they should do what they could to arrive at a satisfactory solution of it. They must feel—he was not sure that the Attorney General himself did not feel—that the Judges had gone too far in their construction of the Law of Agency. They had travelled far beyond the ordinary principles of the Common Law, and the principles which regulated the relations between man and man, and he ventured to think that they had been unwise in carrying the Law of Agency to the extent they had. They had not carried out the law, they had created it; and the question was whether the House, in dealing with Parliamentary elections, could not place some limit on the jurisdiction they had assumed in this respect? There were two modes of dealing with the question—first, by a definition of the agent himself; and, secondly—what they would have to contemplate further on—the bearing of this law on the candidate himself at an election and the agents he appointed. The section they had before them dealt with the first of these—namely, the Law of Agency itself as applied to election matters; and he confessed there was very great difficulty in coming to any conclusion as to what should be the definition of agency in an Act of Parliament. He felt that a great deal must be left to the discretion of the Judges in this matter. No doubt, the Amendment of the hon. and learned Member for Chatham was open to objection, because it settled nothing in this direction. There was involved in the Amendment the question of the recognition by the candidate of the fact that the agent was acting for him. He (Mr. Gregory) had himself endeavoured to prepare an Amendment to meet this difficulty; but it was very hard to do it if they followed the principle that governed the Law of Agency in this country. Then, as to the other matter—namely, how far the agency should act on the candidate, and the penalties to which he should be subjected, he (Mr. Gregory) could not help thinking that before they allowed a wide construction of agency to pass they should know how far the law was to be applied to the candidate himself, and how far his liability for the acts of his agents under the unlimited construction of agency adopted by the Judges was to be allowed to go. He could not help thinking that his hon. and learned Friend the Attorney General might reasonably give them some assurance that some modification might be made in the clause so as to limit the liability of the candidate. He might give them some assurance of this kind before they abandoned the Amendment, which would be better than nothing.

THE ATTORNEY GENERAL (Sir HENRY JAMES) was understood to say that he had listened to every word which had been said on this subject with very careful attention. The matter was a most serious one. He hoped hon. Gentlemen would not think that in what he was about to say he was unduly warm, and was exhibiting an absence of a desire to discuss the question in a conciliatory spirit; and if he spoke emphatically, he trusted hon. Members would not take offence. But what he wished to say was this—that he would rather the Bill had not been introduced than that this Amendment, which they had discussed at such great length, should be introduced in it. He would rather give up every benefit in the Bill than see adopted any Amendment in the direction of this which his hon. and learned Friend (Mr. Gorst) proposed. No doubt they would be able to put a stop to some corrupt practices by it; but, whilst they did that, on the other hand they would be opening the door—though, perhaps, only a small door—to corruption, the path to which through that door would be very straight. What were the Amendments before them? They were some seven or eight in number, all requiring that the agent should be nominated by the candidate in some particular way. The Amendment of his hon. and learned Friend (Mr. Gorst) contained the words—

> "In which his assumption to act has been adopted or recognized by such candidate."

The Amendment of the hon. and learned Member for Launceston (Sir Hardinge Giffard) contained the words, "any person expressly appointed by the candidate himself;" that of the hon. Member for Mid Lincolnshire (Mr. Stanhope) said, "duly constituted or recognized;" that of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) said, "expressly appointed, adopted, or recognized;" and the Amendment of the hon. Member for Newcastle (Mr. Cowen) had the words "duly appointed and authorized in writing." The problem was one they would all solve if they could; but the necessity for a solution of it certainly had greater weight in the mind of the hon. and learned Gentleman the Member for Chatham than it had in his (the Attorney General's). The hon. and learned Gentleman's Amendment appeared to be the least harmful of any proposed, and it was taken by the Committee as being the best that could be chosen. Let the Committee, however, see what it came to. They had two principal matters to consider. They had not only to consider this matter from a selfish point of view—namely, as to how it would affect themselves as candidates; but they had to consider it from the point of view of the constituencies. They must bear in mind that a man need not be a candidate unless he wished; but the constituency must be a constituency, whether it liked it or not. If the constituencies wished to be pure they had a right to demand from Parliament that they should have pure elections. In the present Amendment it was required that the agent's assumption to act should have been adopted or recognized by the candidate, and in that of the hon. Member for Newcastle it was required that the agent should be appointed in writing. What did that mean? Why, it meant simply this—that every candidate who was discreet enough to remain in his country house, and who, whilst actually engaged in the contest, never officially appointed an agent, and said, "I will conduct my election by myself," would, notwithstanding that wholesale corruption might be practised in his behalf, never have his election declared void. There might be infinitely more corruption than in a case where agents were appointed, and yet there would be no power to get at the candidate. They were going to say—and there was no escape from this conclusion—that in order to save the candidate from losing his seat the constituency must suffer to the extent of having a Member elected by wholesale corruption. Let them take the Amendment of the hon. Member for Newcastle, which required that the agent should have been appointed in writing. If that were adopted, did they think that, in the future, any candidate would put his name to paper? No, he would say—"What have I to do with writing, when if I do, and anything goes wrong, I may be unseated? All it is necessary for me to do is to say you are my agent; you can act for me; you can do what you like, and the House of Commons and the constituency have no remedy: though there may be a majority against me in the constituency, I cannot be unseated." A Caucus might put up a candidate, and tell him that he was to appoint no one his agent, and that he was to appoint no one expressly his agent; and they might bribe against the majority of the constituency, and so return their man. These Amendments were most unsatisfactory, and hon. Members knew it; and when the fact was pointed out to them, they wished to put on the Government the responsibility of framing an Amendment to deal with the question they felt they could not deal with themselves. They said to the Government—"You have command of the best draftsman in the country;" and they, therefore, assumed that the Government could do that which, if done by anyone else, would be fatal to the constituency, and an injustice to the House. If such an Amendment were carried, the Bill ought to be entitled—"A Bill for the better carrying on of Corrupt Practices; or, if they did not like that, they could give it another title—namely, "A Bill for the better protection of Candidates corruptly elected." Gentlemen opposite might call him obstinate, weak, vacillating; but let them not call him an impostor, as they would have a right to do if he were to carry through a Bill with such an Amendment in it as this. He was asked to define what an agent was. Well, they could never define what was a question of fact as well as a question of law. An eminent Judge who, during these debates, had been so often referred to, had said—

> "Do not ask me for a definition unless it is necessary. Do not ask me to define what is day and what is night; but I can always tell you when it is day and when it is night."

When hon. Gentlemen attempted to define agency, let him (the Attorney General) ask them whether they could define it not only in the case of an agent for a candidate at a Parliamentary election, but in the case of a mercantile or commercial man? What was an "agent" in commercial matters? They could not tell him—they could not define the man who made contracts and transacted business for them, and they could not define the servant or assistant who was to make them liable for an accident. In all these definitions by learned Judges, they had all spoken with respect to the subject-matter before them; and it was an injustice to a Judge to take some words from the middle of a Judgment, and say that was an express Judgment. Did the hon. and learned Member (Mr.

Gorst) say that the Government were to accept this as the best Amendment that could be found, and say they were satisfied? He did not say they would not accept it; but it would be unjust to the constituencies, because a constituency ought not to lose its Member, when he had only employed a man to carry a bag, or deliver a circular. He was certain that there was no hon. Member who did not feel that that would be unsound. That was the outcome of a week's consideration; and he was sure the hon. and learned Member had done his best to find a definition. If that was the best definition that could be found, was he not justified in saying they could not define agency? And if they could not do so, they must leave the question of fact to be determined by the Judge. They must not make a bad law because they were not satisfied with the present law. This tribunal might give an unsatisfactory decision; but it would try the question of fact, as a jury did; and it would be better to take away that jurisdiction and give it to some other tribunal than to put on the Statute Book a bad law. If they were to define this principle to the fullest extent, would they take away trial by jury because some innocent men had been found guilty, and guilty men had been acquitted? He thought the hon. and learned Member would best display the courage of his opinion, not by suggesting an alteration of the law, but by suggesting some other tribunal. Another view had been put forward by hon. Members. They said they had put Amendments on the Paper for a limitation of agency. The Government were prepared to take a vote on every one of them if carefully framed; but they must stand or fall by the decision of the Committee on the question whether there should be a limitation. That was not a question of framing or drafting, but of substance, and that amounted to an impossibility. Another view was suggested which was unusual and unprecedented in his experience in Parliament. It was said by some hon. Members there was some evil in the system, and they offered a remedy that they knew the Government could not accept, but that they would not part from that insufficient remedy until they obtained a solid promise that the Government would do something. In justice to the Government, had they not better do one thing at a time? He did not think it was business-like for the Government now to be asked to deal with the second suggestion, and be told that if they would not, in anticipation, promise to accept something else, the Committee must go on to debate this insufficient remedy. He thought the Committee would scarcely favour that view; and when he was asked to give an equity clause or an elasticity clause, he could only say, on the part of the Government, that he would not at this moment give a pledge one way or the other, except that whatever Amendment was proposed should have the most careful consideration of the Government, after having had the assistance of debate, and he would ask the Committee to take assistance from the Government, as the Government asked it from them. The suggestion of the hon. and learned Member for Christchurch (Mr. Horace Davey) of an equity clause was well worthy of consideration; but what he said was that they should treat this Amendment as they had treated others. The hon. and learned Member was a perfect master of equity. Would he assist the Government by drawing up a clause which could be safely accepted? He could only promise, on the part of the Government, that they would consider the Amendments as they arose, and he asked the Committee to deal with each as it came before them. The Government did not approach any Amendment in the spirit of not trying to meet it; and if they could not give reasons for not accepting it, they might be defeated, and, if so, would be prepared to take the consequences. This Amendment stood alone, and could not be coupled with that of the hon. Member for Wolverhampton (Mr. H. H. Fowler), and ought not to be so treated.

Mr. GORST said, he was not acting with any intention to hold a pistol at the head of the Government by keeping this Amendment before them until they agreed to discuss it. He had not the control of the Amendment. The right hon. Member for South-West Lancashire (Sir R. Assheton Cross) had control of it; and as soon as the discussion had arrived at a point when it became unnecessary and useless, the Amendment would be withdrawn. So far as the discussion had proceeded, it seemed to him that no Members of the Committee were eager to seek a solution of this difficulty of defining agency. The Solicitor General and the hon. and learned Member for Christchurch (Mr. Horace Davey) had denounced any attempt to define agency, and the hon. and learned Member for Christchurch found fault with all the other Amendments; but neither hon. and learned Gentleman had addressed himself to this particular Amendment. As he had frankly stated, it was not his definition, but the definition of Mr. Justice Lush; and he was still of opinion that it was a very good definition. The only Members of the Committee who had addressed themselves to the discussion of the Amendment itself were the Attorney General and the hon. and learned Member for Stockport (Mr. Hopwood), and the only fault they found with the definition was that it was wide and vague. But it was not so wide and vague as the present law. The definition was some sort of guide to a judgment as to what was to be considered agency; and it gave a more precise idea of what an election agent was than was to be obtained from text books, or from merely hearing the word "agent" in all its generalities pronounced. If this definition was wide and vague, what became of all the denunciations of the Attorney General as an encouragement to corruption? That being the case, no Member of the Committee, he thought, with hardly an exception, considered it possible for them to frame a definition of election agent which would extricate them from the difficulty of the present unsatisfactory state of the law. Therefore, so far as he was concerned, he thought the discussion had reached a point when this Amendment might with advantage be withdrawn, because they might go on discussing the general subject, and not, upon this Amendment, arrive at any satisfactory result. Therefore, he would venture to suggest to the right hon. Member for South-West Lancashire that he might now withdraw the Amendment, and in a short time they would arrive at an equitable clause, which might be pressed on the Government. One or other he hoped the Attorney General would accept.

MR. H. H. FOWLER said, the Attorney General had made a powerful and earnest speech; but he had not touched the real question before the Committee, except at the close. When the hon. and learned Gentleman spoke of this being an unprecedented course, he must have forgotten what took place in the discussion of the Land Bill. Directly after the Land Bill went into Committee, a discussion was raised as to what the Government intended when the 7th clause, which dealt with fair rent, was reached; and long before the Committee came to that the Prime Minister stated what the Government intended to do. Anyone who had been present when the Bill was passed through would remember that the progress was very much facilitated by that early statement. What hon. Members now wanted to know was, what course the Government intended to adopt? and this question arose out of the question of agency. The Attorney General need not have made so long and eloquent a speech to prove, practically, that two and two made four. It was impossible to define agency, and every remark the hon. and learned Gentleman made was true up to the hilt; but what they said was that under the existing Law of Agency gross injustice had been done, and that one of the most eminent Judges of the land—Lord Bramwell—stated before a Committee of that House that although it was impossible to give a new definition of the Law of Agency by Statute, yet he was compelled to administer an unjust law; and he suggested to that House a mode by which that injustice might be remedied. The mode he suggested was, that where an Election Judge was satisfied that the election had been pure, and that the candidate and his agent had been entirely guiltless of any corrupt or illegal practice, but that some unrecognized local agent had committed some trivial act which did not effect the general result of the election, the Judge should have power to do what the House had always had power to do—namely, to exercise equity, and not vacate the seat. What did the Government mean to do under those circumstances? As an illustration, he would give the case of an hon. Member who was now sitting in that House, to show how the Law of Agency had worked. The night before his election his coat of arms was being painted in the Town Hall of the city in which he resided, he himself paying the cost. He had never seen the painter before then; but the man came for some instructions with respect to the work. The next day the man asked someone in the market place how he was going to vote. He persuaded the man to vote for the hon. Member, and gave him 6*s.* for his vote, and the hon. Member was unseated for that. That was a case which ought to be met; the Judge should have power to deal with a case of such gross injustice. Hon. Members might say they were not discussing that; but they were discussing that; and what they wanted to know was what the Government intended to do? The Government were now altering the law; but Members who took the course he had taken to-night were put to a great disadvantage. He very much regretted to hear from the Treasury Bench, and especially from the Solicitor General, a sort of implication that those who differed from the Government upon this question were, somehow or other, sympathizing with corruption.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he had never made any such suggestion. He had only said that in dealing with a matter of this sort it was a question more for the protection of the candidate than for putting down corruption, and therefore they ought to be very careful.

MR. H. H. FOWLER said, that impression had been conveyed, and it had not been confined to the speech of the hon. and learned Gentleman. The suggestion had been made that those who differed from the Government on this subject, who were quite as loyal as the Government as to putting down corrupt practices, and were entirely free from corrupt practices themselves, were endeavouring to make this Bill, practically, a measure for encouraging corrupt practices. The Solicitor General said they ought to be very careful not to protect themselves; but they were here to make laws, and to protect candidates as well as other people—and they were here for something more than that. The object of this Bill was to prevent, as far as possible, causes which would prevent introduction to that House of desirable Members. They might make candidature for Parliament so dangerous that it would be a strong door against men of the class they desired to see; and he repudiated any desire to protect themselves unduly, or to injure a constituency. He wished to do what was right and fair, and not to inflict injustice on one class or on another. The question before the Committee was, whether they could relieve the stringency of the Law of Agency? They admitted, with the Attorney General, that they could not define agency; but he agreed with the hon. and learned Member for Chatham (Mr. Gorst) that this definition was, perhaps, as good a definition as could be put into so many words; but the very fact of the goodness of that definition, and the palpable failings there were on the face of it, showed how very unwise it would be to adopt it. He had no intention to vote for any of the Amendments which attempted to define agency. Three-fourths of the Committee had pressed upon the Government the desirability of introducing some provision or stipulation which would prevent a Judge being compelled, against his will, to do what he felt was a gross injustice. That had no bearing whatever on corrupt practices; it opened no door to the extension of corrupt practices; and it would protect the constituency, by allowing it to have the man of its choice—chosen, perhaps, by a majority of several thousands—and not be deprived of its Member by the foolish act of some man whom the Member did not know, and whose act did not, in the slightest degree, affect, perhaps, half-a-dozen voters. He would again ask the Attorney General, notwithstanding what he had said, to say "Aye," or "No." It was all very well to say he would listen to arguments; but the Committee might depend upon it that the Government had made up their minds. These Amendments had been on the Paper sufficiently long; and the matter was too serious for them not to have made up their minds, and it would be more candid to tell the Committee at once.

SIR WILLIAM HARCOURT asked the Committee to consider how they stood in reference to this Amendment. In a very candid speech the hon. and learned Member for Chatham (Mr. Gorst) had offered up a child for sacrifice. He said the time had arrived when the Amendment might be withdrawn. That seemed to be a very reasonable course; but, so far as he could see, no one, however much interested in the matter, thought that the Amendment could be, or ought to be adopted. One would say that a business-like Assembly, under those circumstances, would dispose of the Amendment and go on with something else; and not, as the hon. Member for Wolverhampton (Mr. H. H. Fowler) and hon. Members opposite seemed to wish, to keep it before the Committee until they got a pledge of something else. If the House of Commons were going to act on that principle, they would transact Business in a manner contrary to the first principles of Parliamentary procedure; and for the Government to accept such a rule of action as that would be not only injurious to this Bill, but altogether destructive to the conduct of the Business of the House of Commons. Therefore, all he could say, on the part of the Government, was that they could not accept any such rule of action. He had attended very carefully to the debate, and he understood that the general feeling of the Committee was that this matter could not be dealt with by a definition of agency. That argument was exhausted. The hon. Member for Wolverhampton said, in the broadest terms, that that was his view. Why, then, did he insist on protracting the debate on the question of a definition of agency? That was the most unbusiness-like method of dealing with the Bill that could be conceived. Then the hon. Member said the Government must give some idea of what they were going to do on some subsequent Amendment. Why? The Government, according to the hon. Member, must say "Aye" or "No" upon Amendments which had not been discussed, and which could not now be discussed. Why were the Government to say "Aye" or "No" upon an Amendment which had not yet been discussed? That would be to say that argument was to have no effect upon them; that they would not listen to, discuss, or advance arguments; but by anticipation would say "Aye" or "No" upon an important question raised by a subsequent Amendment. That was a most unbusiness-like and improper proceeding, and, if the Government acceded to it, would destroy the proper conduct of Business. Therefore, the proposal of the hon. Member was objectionable, not only upon this particular point, but upon the general question of Parliamentary Business. If the Committee were of opinion, as he thought the majority were, that they could not satisfactorily attempt to make a definition of agency, or without doing a great deal more harm than good, they had better pass over all these Amendments, and come to the subsequent Amendment, and hear the argument of the hon. Member for Wolverhampton, and those who thought with him; hear the argument from the other side, and then decide upon the matter which the hon. Member wished the Government to decide by anticipation, by saying "Aye" or "No." That was the fair way of dealing with the question; and he hoped those who wished Business to be regularly and speedily transacted would assent to that course.

SIR R. ASSHETON CROSS said, that the Committee had been discussing this question with the greatest calmness, and the greatest advantage, until the speech of the right hon. and learned Gentleman the Home Secretary. That speech no one could say had advanced the matter in any way. The right hon. and learned Gentleman had not produced a single argument. He was very anxious to see this question settled, and he thought that everyone who had been present throughout the discussion had made up their minds that the result had been very advantageous, and had tended really to facilitate the progress of the Bill. The right hon. and learned Gentleman had said these two questions were distinct and separate; but they were not. The question of the definition of agency and the question of relieving the hardship of the Bill as it stood by some equitable clause were one and the same. The whole point which had been objected to was that, by this Bill, they were imposing a much more stringent law than that which at present existed. [An hon. MEMBER: No, no!] Were they not adding to corrupt practices enormously? [The SOLICITOR GENERAL (Sir Farrer Herschell): Not by this clause.] This clause affected the question of who were guilty by an agent. They had increased the number of corrupt practices; but they need not now discuss that. While they were increasing the stringency of the Law of Agency they were creating a great hardship; and the law, as administered by the Judges as compared with the administration of the law by that House, was working evil. That was admitted. A great number of Amendments had been put on the Paper on the question of definition, and hon. Members said they did not care whether the Government accepted them or not; but they had put down these Amendments with a view to solving the question, and then the Government said they could not discuss this matter now. Suppose there were no Amendments, they must solve the question by defining agency, or they must restore the equitable jurisdiction which did exist when these matters came before this House, and take away the hard-and-fast lines which the Judges had been obliged to follow. Quite irrespective of the Amendment, they were perfectly entitled to ask, with regard to an admitted difficulty, the opinion of the Government as to how they meant to get over it? It was idle for the Government to say—"There is another bridge we have to get over later on, and we will tell you what you want to know when we come to that." He did not care whether the Amendment was withdrawn or not; the sooner they came to the real discussion the better. He did not think there had been any waste of time, however, the question having been fairly argued from all quarters of the House. There had been unanimity on all sides such as he had never seen before, no one having said a word in favour of the clause as it stood, except the hon. and learned Member for Stockport (Mr. Hopwood); and sooner or later the Government would have to give some relief when they came to consider the equity jurisdiction. If it was the wish of the Committee that he should withdraw the Amendment he would do so. He had only moved it in the absence of the hon. and learned Member for Chatham (Mr. Gorst), in order that they might have a discussion upon it. He was not in the least satisfied with what had fallen from the Attorney General, but should be willing to withdraw the Amendment.

Mr. O'CONNOR POWER said, he did not rise to impede. He had been an attentive listener to the whole of the discussion, but up to now had not taken any part in it, although some other hon. Members had spoken two or three times. He saw no practical result to be gained by the continuance of the discussion, as the Committee had now had every aspect of the question presented to it; but hon. Gentlemen who had not heard the whole of the debate, having only recently come down to the House, wished, apparently, to drag them over and over again over the ground they had already traversed, and it seemed to him a most useless enterprize. He, for one, was not inclined to sit there hour after hour listening to observations he had heard again and again. Very often in trying to define certain terms they succeeded, not in enlarging the discretion of the Judge, but in confining it; and what he said on the question of equity was this—that it was not clear to him, from anything which had been said in the discussion, that the Judges could not now administer equity in reference to agency if they liked. If they had failed to do it, that was no argument against the letter of the law. If the Committee proceeded to definitions the Judges would be bound to administer strict law; whereas, under the law as it stood, they were free, if they had sufficient intelligence, to administer equity.

Mr. JOSEPH COWEN said, he had been in the Committee since the commencement of the evening, and had followed the arguments which had been used. He now wished to say, in corroboration of what had fallen from the right hon. Gentleman (Sir R. Assheton Cross), that a good deal had been gained by this conversation. The Home Secretary had given them to understand that this was not a practical mode of conducting the Business of the House of Commons—that to insist on one clause until they got the sanction of the Government to another was not a business-like way of proceeding. Well, he (Mr. Cowen) wished to say that, so far as his knowledge of Business was concerned, this was a common way of proceeding. On the Irish Land Bill he perfectly remembered that when one clause was reached the Committee refused to go further until the Government made known the drift of their intentions on another part of the measure. The same thing occurred during the discussion of the Irish Church Bill, and of the Arrears of Rent Bill of last year. The Committee had insisted on having a declaration of the general policy of the Government on the measure before the House on a special clause, and they refused to go further until that was done. They were doing the same on the present Bill. The Committee said—"You cannot define agency; therefore we wish to have the Equity

Clause that the hon. Member for Wolverhampton has put on the Paper as an alternative." He (Mr. Cowen) understood the Government to say they did not wish to give this clause—there was no use concealing the matter—therefore, if the Committee consented to part with this Amendment, they would be doing it with their eyes open. They were not going to define agency; they were not going to get an Amendment such as that which was indicated; and they were now about to give their sanction to a clause in the Bill which would practically render to many hon. Members the occupation of their seats almost impossible. Under the Bill, as it now stood, every member of a Caucus, every member of a Liberal or Conservative Club, would be the agents of the respective candidates; and, that being so, it would be impossible for any man who was connected with an Association, as almost every candidate in a large town was, to go through an election without being placed in a very awkward position. He would give an illustration of this; but there were many instances to show how harshly the Law of Agency was applied. There was the case of the Bewdley Election—was there ever a harsher application of the Law of Agency than that experienced by Mr. Harrison? In Bewdley there was a beneficent man, a Quaker, who had an agricultural instrument, which he was in the habit of lending out to his neighbours without charge. On one occasion one of his servants, in lending this instrument to an elector, said, jokingly—"You can have the use of it, and I hope you will vote our side at the election." There was no direct agency, and the act was not connected with the election; and yet, because the Quaker and Mr. Harrison were both members of the same political Association, Mr. Harrison was deprived of his seat. The Bill, if it passed in its present form, would impose terrible responsibilities on candidates and constituencies who would be unconscious of many of the difficulties which surrounded them.

Mr. DIXON-HARTLAND said, that as he was, perhaps, the only Member who had gained his seat in consequence of a Petition, and that after 14 days' hard fighting, it would be admitted that he knew something about the matter. In his case a number of his supporters, without his knowledge, formed themselves into a Committee. Some of the Committee authorized persons to go round to certain voters to endeavour to secure their votes, and one of those voters was undoubtedly bribed by a person to the extent of 10*s*. The matter was brought before the Election Judges, and their decision was that the case of bribery was clearly proved, and they had nothing to do with the question whether it was just or unjust to make the candidate responsible for it; but that if he (Mr. Dixon-Hartland) had been seen canvassing with the man who bribed the voter, or if, by any means, agency could have been brought home, he would have been unseated. If the present clause of the present Bill had been in force he would have had no chance of justice. The Attorney General said that if the Amendment were accepted the Bill would be one for the promotion of corrupt practices; but, to his (Mr. Dixon-Hartland's) mind, without it it would be simply a Bill for the wholesale disfranchisement of constituencies. The Attorney General had spoken of candidates not appointing agents; but one clause of the Bill declared that every candidate should appoint an agent. The candidate would have no option in the matter. It was a fact, moreover, that candidates could not absent themselves from the elections, otherwise they would have very little chance of success. According to the clause, the result of an election was to be affected by the course which had been taken in regard to corrupt practices; and the Home Secretary asked why they should discuss this matter upon the question of agency? He (Mr. Dixon-Hartland) would reply, for the reason that the Committee felt so strongly on the matter that if the Government would not give an Equity Clause they would refuse to agree to this section.

Mr. LABOUCHERE said, that the Committee should have some more definite understanding from the Government. This was not only his opinion, but that also of hon. Members on the Opposition and on the Ministerial side of the House. The Attorney General had told them it was most unbusinesslike to consider two things at the same time. He (Mr. Labouchere), however, contended that they were not considering two things at the same time, but were considering one and the same thing. The course the hon. and learned Member was taking was like telling them to leap over the hedge without knowing what was on the other side. The Attorney General wanted them to give the Judge full power to define what an agency was. It was a difficult thing to define; but they ought to know what they were to leave the Judge full power to decide. Let them understand from the Government whether they would accept one or other of these Equity Clauses. The Attorney General had said—"I will not give you any pledge. The Government will pay great attention to the discussion, and come to a decision when it is over." Well, the Government had brought in the Bill; they knew its character; they had seen its clauses; and the Committee would be children if they thought they could persuade the Government against the decision they must have come to one way or the other. Do not let them, if they gave these powers to the Judges, bind the Judges' hands. If the Judges were allowed no discretion, candidates all over the country would soon discover the truth of the maxim—*Summum jus summa injuria.* Lord Bramwell himself had stated what would occur. There would be cases where the Judge would say distinctly—"I am obliged to say Mr. A. is the agent of Mr. B.; but in equity I do not think Mr. B. ought to be answerable for the acts of Mr. A. I am bound, however, to say that Mr. A. is the agent of Mr. B., because Parliament has imposed this duty on me." Ought not the Committee, therefore, to give power to the Judges to decide, not only according to law, but according to equity?

Mr. W. FOWLER said, he had a strong Equity Clause to propose, and he was anxious to get to business. He did not think they had wasted any time hitherto; but he believed it would be well for them now to get to the main question. They could not quite expect the Government to bind themselves to the course they would take when the Amendment was withdrawn.

Amendment, by leave, *withdrawn.*

Sir R. ASSHETON CROSS said, he had now an Amendment to move in line 28—namely, to leave out "for seven years after the date of the Report," and insert "during the Parliament for which the election was held." The Attorney General having altered the former punishment, it was not possible that they could retain the seven years' disqualification in cases where the corruption was the act of an agent. He (Sir R. Assheton Cross) was afraid he should have to divide the Committee on the point. He could not conceive it possible that the Committee would make the punishment in the case where the offence was committed by the agent as great as it was in the case where the offence was committed by the candidate himself.

Amendment proposed,

In page 2, line 28, after the word "borough," to leave out the words "for seven years after the date of the report," and insert "during the Parliament for which the election was held."—(*Sir R. Assheton Cross.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) was understood to say the right hon. Gentleman had rather misunderstood the modification. The period of disqualification set down in the Bill of last year was 10 years; but here he had taken a middle course. The question involved was not one affecting the person so much—it was not a matter of punishment, as no moral wrong might have been committed by the candidate—but it was a question affecting the constituency. The object of the clause was to prevent a man who had been unseated for corrupt practices again coming forward after a short interval as a candidate and reaping the benefit of the former corruption. The object in proposing to keep the men out for seven years was to give the constituency time to recover the effects of the previous corruption. One Parliament might not be a sufficiently long period, as it might only mean waiting a year or two, or even a few months. He hoped, therefore, the words of the clause would be adhered to.

Mr. GORST said, he thought the hon. and learned Gentleman the Attorney General rather exaggerated the length of time over which corrupt practices produced a grateful effect in the memory of a constituency. He was glad the hon. and learned Gentleman recognized that the man who did no wrong did not deserve to be punished. That was a great step in advance; but what, he would ask, was the good of this disqualification? It was simply introduced, originally, to prevent a man unseated at one election from being seated at the next. The idea of Parliament was that at the time when the man was unseated for corrupt practices there was always such a feeling in his favour on the part of his constituents, and such sympathy for his misfortunes, that if he were to present himself immediately after an election once more for the suffrages of the constituency his return would be certain; and the election would, therefore, be hardly a fair one. The disqualification for the Parliament then sitting was, consequently, introduced in order to secure the lapse of sufficient time between a person's being unseated and his presenting himself again as a candidate at a fresh election. He believed that the disqualification originally adopted by Parliament, which was not adopted as a punishment, was really quite far enough to go. There had been no reason since last year for altering the disqualification; therefore, believing that the man who was unseated did not deserve punishment, and that there was no urgent necessity for disqualifying for more than the Parliament then sitting, he (Mr. Gorst), if the matter went to a Division, should certainly vote with the right hon. Gentleman.

Mr. GREGORY said, this question was one which turned very much upon the other they had discussed. If the person who committed the corrupt act were not an agent, surely the hon. and learned Gentleman might consent to some modification of the Bill. If the candidate were altogether innocent—that was to say, if corrupt acts were committed without his knowledge, or altogether against his expressed wish, there should be some modification. Of course, if they were to enact that an elected Member was not to be held liable for acts committed against his express desire, there would be no harm in the disqualification proposed in the Bill. He did think that before they dealt with this question it was most desirable that they should have some intimation from the Government as to the course they intended to take on this subject.

Mr. LEWIS said, they were now on line 28 of the clause, and the point about which there had been so much said arose on the next line; and yet it was said to be such an extraordinary thing to ask the Government to intimate what they were prepared to do when they came to the next question. It was not necessary to refer to previous Parliamentary experience on this point, for the course the Government here objected to was followed, in other matters, every day. When they arrived at a point which led to something else the Government were asked what they meant to do on the point they were coming to, in order that hon. Members might make up their minds what they should do with the question immediately before them. He supposed they would be told, on the authority of the Home Secretary, or some Minister of the Crown, it was a monstrous thing to ask the Government, having come to line 28, what they intended to do when they come to line 29. He did not think such an attitude on the part of the Government was at all calculated to advance the Bill. They were entitled to assume, however, that the Government were not inclined to make any concession when they did come to line 29, and that they meant to reject every alteration that was proposed. They should act on that supposition, and concur in the view of the right hon. Gentleman (Sir R. Assheton Cross) when he said that the proposal of the Government was too severe. With reference to this important matter, he should never forget the impression and feeling exhibited by one who was long a Member of that House, a much respected man—namely, the late Sir Henry Jackson. It was a fact that several times in the course of his life, after he was unseated for Coventry through the act of an agent, he used to speak in the most mournful manner of the great injury which had been inflicted upon him, which had been inflicted upon his moral sense. No one who knew Sir Henry Jackson, and the fine spirit he possessed, would be surprised when he was told that Sir Henry had frequently declared that he had never recovered the shock sustained by his moral sense and pride by being turned out of his seat at Coventry for bribery, for some miserable act on the part of an agent which he did not authorize. The Attorney General spoke of every piece of bribery as though it were wholesale corruption, and he made provision for cases which were entirely exceptional in their nature. It seemed to him (Mr. Lewis) that they had no option but to resist the punishment which was proposed by the clause, seeing that the Government did not mean to make any concession.

Lord GEORGE HAMILTON said, the contention of the Attorney General, not alone in reference to this Amendment, but with regard to almost all the others that had been proposed, was that they would lead to wholesale corruption. But he would ask how that wholesale corruption could take place if the Act had the effect that was claimed for it of limiting the expenditure at elections? [The Attorney General (Sir Henry James): By the law not being obeyed.] That was what he desired to know. If a man were such an idiot as to spend three times the amount allowed in the Schedule, in the hope that during the next seven years from the date he was turned out a vacancy might occur in the constituency, and that the recollection of his corruption would insure his re-election, he could understand the argument of the Attorney General, although he doubted that anything of the kind was likely to take place; but if a man were to spend the amount calculated his doing so could not be wholesale corruption. That being so, some of the clauses of the Bill must be inoperative, and consequently superfluous.

Question put.

The Committee *divided*:—Ayes 184; Noes 91: Majority 93.—(Div. List, No. 147.)

Mr. GORST said, the Amendment he was about to move raised a question already hinted at—namely, as to the Election Court having a kind of dispensing power. If the Government accepted the principle of his Proviso, he was willing to leave it to them to frame a more satisfactory wording in case of need. He would remind the Committee that this question was before the House last Session. In the Committee on the Bill he moved a clause having much the same effect as the Amendment he now proposed; and the Attorney General, on that occasion, said Her Majesty's Government would take the matter into consideration before Report. Having received that assurance, he withdrew the clause, for the purpose of enabling the Government further to consider the matter. The present proposal, therefore, came before the Committee without any previous decision having been come to with respect to it, without the Government having pledged themselves against it, and, moreover, with the promise that they would give it further consideration. Further, it came supported by the authority of Baron Bramwell, which had been cited by the hon. and learned Member for Plymouth (Mr. Clarke), in the course of the debates on the Bill, and also by the authority of the Solicitor General, who, in Committee in the year 1875, proposed to divide on an Amendment embodying the same principle. Now, although the Amendment deserved discussion, its principle could be very briefly stated. The effects of the decision of the Election Court—that the agent of the candidate had been guilty of corrupt practices—fell, one of them, on the candidate himself, and the other upon the constituency for which he was elected. The effect of the Judgment of the Court was to disqualify the candidate for seven years from being elected by the constituency; and its effect upon the constituency was that the election which had been held was declared void. The proposal he had to make was twofold. It was that, under certain circumstances, the candidate should be relieved of the disability put upon him; and, under certain circumstances, the constituency having suffered in the manner described, it proceeded on the principle that it should be assumed, *primâ facie*, that the candidate had committed the corrupt practices alleged, but that they should be rebutted if sufficient evidence could be produced to convince the Court, first, that the candidate was perfectly pure, and had taken every possible precaution to insure a pure and honest election. *Primâ facie*, the candidate would be guilty if his agent had committed corrupt practices at the election; but the object of this Proviso was to give him an opportunity of proving affirmatively to the Election Court that he was not privy to, or a consenting party to, the corrupt practices committed; and, further, that he had taken all reasonable and possible means to prevent them. If the candidate did that, he said it was not just that he should be subject to any disability whatever; it was not fair that he should suffer for the fault of others who had wronged him, without any consent on his part. Again, it was not necessary to carry out what the Attorney General had pointed out as being requisite to secure the election of another person; because, if a constituency was of so base a character that corrupt practices recommended a man to it, a man who proved that he had not done or consented to any corrupt practice, and that he had given orders to his agents not to engage in them, would certainly not recommend himself to the constituency. And, further, the proof he would have brought before the Election Court would be of such a nature as to be detrimental to the constituency. Further, he proposed that if it were proved to the satisfaction of the Election Court that the result of the election was not affected by any corrupt practices the election should not be void. The Bristol case, to which he asked the attention of the Committee, was one in which the elected candidate (Mr. Robinson) was, undoubtedly, the free choice of the vast majority of the electors. But, at a test ballot, a person who became the agent of the candidate had been guilty of a little act of treating, by which a vote was obtained for Mr. Robinson. It was a most trivial act, and done without his knowledge, and it was one which the Judge said could not possibly affect the result of the test ballot, much less the result of the election; and yet so stringent was the law that the Judge was compelled to unseat the candidate in this case. Baron Bramwell, on that occasion, made use of the language which had been quoted by the hon. and learned Member for Plymouth (Mr. Clarke). The Government having agreed to the imposition of tremendous penalties on the candidate for the act of an agent, all he asked was that, in accordance with the view of Baron Bramwell, the opinion of the Solicitor General, and the opinions pressed upon them by Members of their own Party, and by persons who could not be suspected of any desire to promote corruption at elections, the Government should adopt some kind of equitable clause that would give the Judges the power, in cases where they thought the election perfectly fair, not to commit the monstrosity of unseating the candidate because, perhaps, an agent had given one of the electors a trumpery glass of beer. That was the view which they wished to force upon the consideration of the Government. So far as the actual words of the Proviso were concerned, he was entirely at the service of the Attorney General. If he thought any other form would be more satisfactory to the Government, he would agree to any alteration, as long as it embodied the principle of the Amendment. To that principle, however, he and his hon. Friends would certainly adhere, in pressing upon the Government the adoption of some Proviso which would carry out the object he had described.

Amendment proposed,

In page 2, line 29, at end, add:—"Provided, That, if it be proved to the satisfaction of the election court that no corrupt practice was committed with the knowledge and consent of such candidate, and that such candidate took all reasonable means for preventing the commission of corrupt practices, such candidate shall not be disqualified as hereinbefore provided; and, if such candidate has been elected, and it is further proved to the satisfaction of the election court that the result of the election was not affected by any such corrupt practices, his election shall not be void."—(*Mr. Gorst.*)

Question proposed, "That those words be there added."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he need not remark that his hon. and learned Friend had placed his Amendment before the Committee in a fair and moderate tone. His hon. and learned Friend said that this question had been before the Committee last year, and that an undertaking was given that it should be considered. He could assure the Committee that the matter had been repeatedly under the consideration of himself and his hon. and learned Friend the Solicitor General; and had they been able to arrive at the conclusion that the proposal of the hon. and learned Member for Chatham was consistent with the maintenance of purity of election it would have been cheerfully adopted. His hon. and learned Friend said that he was willing to adopt any form of wording which the Government might consider better than that in which the Amendment was drafted; but he would point out that this was not a question merely of expressing ideas by words. They were dealing with a question of great nicety, and they had to decide whether the principle which the Amendment embodied would in any way prejudice the attainment of the object of the Bill, which was to put down, to the utmost of their ability, electoral corruption. What the Government objected to in the first part of the Amendment was that it gave the Judges a dispensing power, and enabled the candidate, when he had not been personally guilty of corrupt practices, to go back, upon the Petition, to the same constituency, and during the existence of the same Parliament for re-election. That was a most dangerous power to give the Judges, especially if there should be any suspicion of partizanship on their part. The Amendment of his hon. and learned Friend went far beyond that which had been proposed by the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross). The second part of the Amendment, if it were carried, would induce an agent to think that a mere isolated act of bribery on his part would not unseat a candidate. It said that if it were proved that the result of the election was not affected by any corrupt practices the election of the candidate should not be void. In his (the Attorney General's) opinion, however, every agent should feel that he would run the risk, by an act of bribery on his part, even although unknown to his candidate, of unseating the latter. In a large constituency, where the majority was 4,000 or 5,000, or where the majority was only 500, there might be 50 corrupt votes; but they would not affect the election. How could the Judge say, although there were 50 corrupt votes proved, that the result of the election was brought about by corrupt practices? A person, although he might have seen very extensive bribery going on in the street, could not petition; because what he had seen, or could prove, might not be sufficient to substantially affect the result of the election. The percentage of cases proved, where bribery and corruption had extensively prevailed, was far less, he believed, than hon. Members thought. He believed that sometimes it was impossible to prove more than a hundredth part of the corruption. In Sandwich, where three-fourths of the constituency were bribed on one side, they had not proved a single case of bribery, although it was shown that the public-houses had been subsidized. Elector after elector was put in the box and swore that he had not been bribed. The Judges found that there had been no such bribery as was alleged, and the Member was simply unseated for having used the public-houses. Even if the bribery of one or two persons had been proved, if the Bill, as the Amendment proposed to alter it, had been in force, the Judge would not have been able to find that those cases affected the result, seeing that the majority was 250. He would put another view before the Committee. They heard a great deal about the expense of elections—everyone abmitted that their cost was very burdensome; but the result of this Amendment, if adopted, would be to increase it, for it would be necessary not only to try if there had been one or two cases of bribery, but also to try if the election had been substantially affected. Every Petition would, therefore, amount to a scrutiny. It was not the Government who brought forward this proposal for the alteration of the law. And it must be borne in mind that whilst this alteration was proposed the definition of the crime remained the same, and also its danger. He was bound to state plainly that the Government could not consent to the Amendment, for they were not ready to bear the responsibility of a change so great as its adoption would involve, and which might produce such disastrous consequences.

Sir HARDINGE GIFFARD said, he hoped that the Committee, after fully discussing this subject, would be able to meet the objections of the Attorney General, as the Government did not seem altogether indisposed to accept the principle of the Amendment. He should like to begin with a few words of protest against what seemed to him to have run through the Attorney General's argument — namely, the objection to the tribunal which was to try these cases.

The ATTORNEY GENERAL (Sir Henry James) was understood to say he had guarded himself in his objection.

Sir HARDINGE GIFFARD said, he was glad the hon. and learned Gentleman had had an opportunity of making that disclaimer, as he should have regretted to hear the Attorney General for England describing the election tribunals as tribunals whose conduct would be guided by partiality—who would find according to their own particular views —when they were to be composed of Her Majesty's Judges. They must assume, after what had now been said, that the questions which had to be determined would have to be determined by a competent tribunal—a tribunal which was able adequately to form a judgment on the facts presented to it. The question of principle was this—whether the Government intended to give the Judges power, under this provision, of absolving both the candidate and constituency under certain conditions? The principle of the Amendment of the hon. and learned Gentleman the Member for Chatham (Mr. Gorst) was perfectly obvious. Personally, he (Sir Hardinge Giffard) should have preferred raising the discussion on the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler); but the principle of the hon. and learned Member for Chatham was obvious, and it was most clearly stated by showing what the law had been, and what, apparently, had been the policy of the law. Hitherto, they had said that the act of any person who was guilty of corrupt practice, and who was fixed with the character of agent, should vitiate an election; and not only so, but that the candidate who had won his seat by the means of the agency should not sit for the place during the existing Parliament. Now they had increased the penalties, and had declined to define agency. Let them see what that would come to. If the tribunal could find out that the candidate himself had not been guilty of any corrupt practice, and that the act of his agent had not really affected the election, which had been, so far as the majority was concerned, pure, where was the policy of vacating the seat and disqualifying the candidate? Hitherto, the theory had been that they could not find out the extent to which the corruption had proceeded, and that, although they had not any judicial proof, yet it might be that a great deal more corruption had been, in fact, committed than had been spoken to. One single act of corruption by an authorized agent was sufficient to vitiate the election. There were two sides to that question. He had in his experience seen—what he believed to be the worst possible effect of the administration of justice—all the sympathy on the side of the person unseated. They had all witnessed this from time to time—that a person who had been unseated through some trifling act of his agent had been found to possess the sympathy of the people, because they felt he had been the victim of an unjust system. From his election experience he believed that if every effect or influence of the law was strictly administered, there was not a single seat in that House that could stand; because, under the elasticity of agency, it was absolutely impossible for a candidate to prevent some imprudent person doing some rash act. This disastrous state of the law led to the very thing the Attorney General had pointed out; for a man might be convicted and rendered liable to penalties by something which involved moral wrong on his part. The principle involved in this Amendment was recognized as a matter of justice, and not of Party politics. He was not speaking of one side more than another, for he had represented both sides on Election Petitions. Something, which everybody's common sense recognized, ought to commend itself to the Committee. This was a practical question. The Attorney General had propounded a question which he now proposed to answer. The hon. and learned Gentleman said—"Suppose there were 50 people bribed, how is the Judge to answer the question which is involved in the Amendment—whether the result of an election was affected by corrupt practices?" He thought it would be a very foolish thing if the Committee were to profess, by definite numbers, to bind the tribunal which was to decide a question of fact. He would take the case of Sandwich. It was not always a question of numbers. It might be a question of the character of the corruption; it must depend in each case on the circumstances of the particular election, and it was not crediting Judges with too much acuteness to suppose that they could not find out whether, on the whole, the election had been pure; whether, although there might have been 50 persons only proved to have been bribed, it had been corrupt. He differed from the Attorney General in supposing that they must, as a matter of law, assume that only 50 people had been bribed. There were some facts which proved, as part of the train of reasoning, other facts; and that that was so was proved by the law they were now seeking to enforce. What was the meaning of unseating a Member because a single case of bribery had been proved?

It was not that they thought that was the only case, but because they took that as a proof that bribery had been committed, and they inferred from that that the corruption had affected the election. And so the Judge would find that a comparatively small part of a constituency had been bribed; but it would not be an unnatural conclusion that corruption had prevailed to such an extent as to affect the election—although only 50 cases had been proved. On the other hand, the value of the principle of this Amendment appeared to be this—in a constituency of 20,000 or 40,000 voters, although there might have been 50 persons bribed, the Judge might be justified in coming to the conclusion that the result of the election had not been affected. But this was a question of fact; and, like every question of fact, they must give the tribunal which was to decide the question of fact credit for being able to decide it. The question was, whether they wanted that authority, or would require a Judge, when he had come to the conclusion that an election was pure, to follow a hard-and-fast line, although he found that the election had not been affected by corrupt practices, and that the candidate was innocent of wrong-doing, and so void the election? In whatever form that question arose—on any of the various Amendments—it seemed to him that the principle of this Amendment, so far as justice was concerned, was admitted by the Attorney General. All the hon. and learned Gentleman said was that they could not practically arrive at a conclusion upon a question of fact, because there were so many difficulties surrounding it. He did not think that was so difficult as to what constituted agency. He invited the Solicitor General to state his views, in view of the Amendment he himself had proposed. Assuming, as a matter of fact, that a Judge found that an election had been pure, and that the candidate himself had not been guilty of any malpractices, was there any reason, in common sense or in justice, why that conclusion should not be given effect to; or was there an impossibility of a Judge, acting on reasonable evidence, coming to such a conclusion? If those propositions were established, it seemed to him that the Attorney General had admitted that that was what ought to be done.

The SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that, on account of something he had said on a previous occasion, he thought it fair that he should state the view he took of this matter, and the reasons why he could not assent to this or the other Amendments. He need hardly say that no Member of this Committee had given more consideration to this subject, with a view to finding a solution, than he had. He found that all that hon. Members were now proposing was what he had ventured to suggest to a Committee of that House in 1875. Therefore, if he could see his way to getting rid of the difficulties in his mind, he should be glad to do so. He sympathized completely with the object in view, because he had been one of the first to suggest that something ought to be done in the direction of attaining that object; and if, after consideration, he felt serious difficulties, that was not for want of every effort on his part to find a way out of those difficulties, and arrive at a solution. It was true that when the Committee sat in 1875 he did suggest an amendment of the law in this direction; and he could not help thinking that he introduced certain elements of safety, which would not be introduced by any of the Amendments before the Committee, because he suggested that the Judge should be bound to find affirmatively that an election was pure. He did not find such a definite *onus* in any of these Amendments. But his proposition in 1875 did not meet with very much favour. That Committee was composed of some very eminent Members of the House; he did his best to convince them that his view was the right one; but he signally failed. Three supported the proposal in addition to himself, and seven voted against it. Those who voted against were Mr. Isaac Butt, Mr. Cubitt, Mr. Villiers, Mr. Rodwell, Mr. Spencer Walpole, and Mr. Whitbread; and he thought it would be acknowledged that he had cited a considerable weight of authority in giving the names of those Gentlemen, from both sides of the House, who voted against his proposal. Mr. Leeman and Mr. Serjeant Simon were among those who supported it. He would now tell the Committee why he could not think they ought to adopt a provision of this kind. If he thought it was by any means a certainty that at any election trial it was possible to prove exhaustively by evidence that the election had been pure or impure, he should still be in favour of this proposal; but the more he had looked into the matter and examined the reports of election trials, the more he was satisfied that, though only two or three cases of corruption were proved, yet there might be behind them a great mass of corruption. It was that consideration that shook his belief in the proposal he had made in 1875. He would take the case of Sandwich as an illustration; and what was found was that people's moral sense with regard to perjury in these matters seemed to be non-existent. People who would be called highly respectable would bribe others, and thought they had fulfilled all moral obligations when they swore that no bribery had existed. That was seen at Sandwich, where a man who had given bribes declared that he had not given any bribes; and one after the other of the men who were afterwards proved to have received bribes swore that they had not. So that at Sandwich, where it was known that three-fourths of the people were bribed, the Member would have been seated but for the public-house hire arrangement. He could give other instances. If hon. Members would compare the evidence upon the Election Petition trial with the evidence before the Commission which followed, they would find that people who swore on the Petition trial that they had not received anything admitted before the Commission that they had received money bribes. A vast amount of bribery went on, and yet all that could be proved, after the most diligent efforts, was a very small amount of bribery; and what he was sure of was that in many cases there would be extensive corruption, and yet not proof enough to unseat the Member. [Sir HARDINGE GIFFARD: The issue is the other way.] Would not the issue be discharged? None of those corrupt practices might have availed; nearly 1,000 voters might have been bribed, and yet the Judge would not have been able to report any corrupt practices, because every single individual whose act was attacked swore he had not received any money, and the agent swore he had not given any money. Take the case of an agent. A Petitioner proved two or three cases of isolated bribery by an agent; but the agent would be prepared to come forward and swear that he had not spent a penny, although, in reality, he had spent a very large amount of money. What would happen? Would not the Judge necessarily find that it had been proved that there had only been an exceptional case of bribery, and that the election had been, on the whole, a pure one? He thought hon. Members opposite would recognize that danger. The Committee would incur a serious responsibility if they opened the door to such a state of things. Bribery might largely exist; but if only a few cases could be proved the election might be declared pure. The difficulty of the case arose from the difficulty of finding out the bribery, and the readiness of people to deny, on their oath, having been bribed. If the facts could be got at at once there would be no difficulty. There was only one other consideration. It had been said that the result of this would be very mischievous, because a man who was really the choice of a constituency might, after all, be unseated. He admitted that that was an evil; but he did not think it was an evil of such extent as had been suggested. If there was a large majority, and only a few trivial cases of bribery, there was not likely to be a Petition. [An hon. MEMBER: Bristol.] He did not at the moment remember what the majority there was. [An hon. MEMBER: Very large.] It might have been; but he was sure hon. Members would agree with him that, as a rule, people petitioned because they believed the election had been won by corruption, and that, if they could unseat the Member, they would have a chance of gaining the seat for their own candidate. That was the ordinary object of a Petition. Of course, therefore, there was a great check—he would not say an absolute immunity—upon Petitions, in cases where there were such large majorities that the election had not been really affected by a few cases of bribery, and the election was substantially pure. He had now put his views before the Committee. He fully admitted the difficulty of the matter, and he should like to meet it; and if he was not prepared to support now what he had formerly suggested, it was because he had become more and more convinced of the danger, and he had been driven to the conclusion that they would be doing more mischief by the danger they would incur of increasing corruption, because it might be committed with impunity, than the good which might be effected.

Mr. LEWIS said, it was obvious that the Committee were now on the threshold of one of the most important Amendments to the Bill; and at that time in the morning it was impossible to further discuss the matter. Notwithstanding the depreciatory remarks of the Solicitor General upon his own proposal, he had still something to say upon that proposal; and he should, therefore, move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Lewis.*)

Sir STAFFORD NORTHCOTE said, he thought time would have been saved if the Committee had been told earlier what was the general view of the Government with regard to this proposal; but now it was clear that they must report Progress.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, it seemed to be obvious that, inasmuch as it was impossible for the Committee to argue the question at an earlier part of the evening, it was utterly impossible to point out the difficulties of this Amendment. It would not have been fair to the Government to be called upon to make a statement without being, at the same time, able to give their reasons fully.

Mr. LABOUCHERE said, there were here five Amendments very much of the same kind. Hon. Members on both sides of the House were anxious that one or other of those Amendments should pass. No doubt, they thought all the Amendments of equal value; but if they were to divide on every one of them they would weaken their case. If the hon. and learned Members for Chatham (Mr. Gorst), Plymouth (Mr. Clarke), and Londonderry (Mr. Lewis) would withdraw their Amendments in favour of that of the hon. Member for Wolverhampton (Mr. H. H. Fowler), they could unite upon that one Amendment to-morrow, and so have a fair chance of carrying it.

Mr. H. H. FOWLER said, he should be happy to place himself in the hands of the Committee; but he wished to deny that he had obstructed progress.

The CHAIRMAN: The Question before the Committee is that Progress be reported.

Mr. EDWARD CLARKE said, that, although he should have liked to contribute his Amendment to the Bill, yet, as the Amendments were substantially the same, he should be quite willing to give up his.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

RAILWAY PASSENGER DUTY, &c. BILL.—[Bill 219.]

(*Mr. Chancellor of the Exchequer, Mr. Chamberlain, Sir Arthur Hayter.*)

SECOND READING.

Order for Second Reading read.

Mr. COURTNEY said, he believed there was no objection to the principle of this Bill, though, possibly, there might be some discussion of details on the clauses. He would, therefore, ask the House to allow him to take the second reading, on the understanding that the Committee stage should not be taken until a sufficient time had elapsed, and as to which he would take care that due Notice was given.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Courtney.*)

Sir JOSEPH PEASE said, he expected to hear his hon. Friend say how long it would be before he proposed to take the Committee. There was a very great deal in the Bill affecting the railway interest, and it was very important that there should be plenty of time to look into it.

Mr. COURTNEY said, he did not propose to take the Committee before Monday week.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* 2nd July.

LABOURERS (IRELAND) BILL.

(*Mr. T. P. O'Connor, Mr. Parnell, Sir Joseph M'Kenna, Mr. Callan, Mr. Lalor.*)

[Bill 29.] COMMITTEE.

Order for Committee read.

Mr. T. P. O'CONNOR moved that the Speaker leave the Chair, in order that the Bill might be committed *pro formâ*, to allow of the insertion of Amendments by the Chief Secretary for Ireland.

Motion made, and Question proposed' "That Mr. Speaker do now leave the Chair."—(*Mr. T. P. O'Connor.*)

MR. BUCHANAN asked, if this formal Motion was agreed to, would the House still have the opportunity of a Committee discussion?

MR. SPEAKER: If the Bill goes through Committee *pro formâ*, the Motion will still stand that the Speaker leave the Chair for the re-committal of the Bill.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Bill *reported;* to be *printed,* as amended [Bill 240]; *re-committed* for *Thursday* next.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 22nd *June,* 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Inclosure Provisional Order (Hildersham)* (115); Land Drainage Provisional Order (No. 2)* (116); Local Government Provisional Order (No. 10)* (117); Metropolis Improvement Provisional Order* (118); Metropolis Improvement Provisional Order (No. 2)* (119); Metropolis Improvement Provisional Order (No. 3)* (120); Metropolis Improvement Provisional Order (No. 4)* (121).

Second Reading—Local Government Provisional Order (No. 2)* (87); Pawnbrokers (79).

Committee — Report — Lord Alcester's Grant* (95); Lord Wolseley's Grant* (96).

Third Reading — Gas and Water Provisional Orders* (76); Water Provisional Orders* (77); Tramways Provisional Orders (No. 2)* (80), and *passed.*

CONTAGIOUS DISEASES ACTS—PETITION FROM ALDERSHOT FOR RENEWAL OF PROVISIONS FOR COMPULSORY EXAMINATION.

OBSERVATIONS.

THE EARL OF CARNARVON, in presenting a Petition from the Local Board of Health of Aldershot, in favour of the continuance of the above-named Acts, said, that the Petitioners deprecated the course that had been taken by the Government, and set forth the good results that had followed the enforcement of the Acts. They also stated that, at Aldershot, there had not been one single case of hardship caused by the application of those measures since their introduction. He (the Earl of Carnarvon) feared that the Bill which had been brought forward for the better protection of young girls could hardly become law this Session; and, if it did not, the state of the towns which had formerly been, but were no longer, subject to the operation of the Contagious Diseases Acts would be very deplorable.

THE LORD CHANCELLOR said, that, with regard to the apprehension expressed by the noble Earl opposite (the Earl of Carnarvon), the Bill for the protection of young girls was to be considered in Committee on Monday, and that there were reasonable grounds for supposing that it would, at any rate, pass through their Lordships' House during the present Session.

Petition read, and *ordered* to lie on the Table.

PAWNBROKERS BILL.—(No. 79.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, that for some time great difficulty had been found, under the existing state of the law, in tracing stolen goods, and discovering the persons who had received them, and the present Bill was intended to obviate some of those difficulties. Their Lordships were aware that there were various local Acts in force in different parts of the Kingdom, and notably in Glasgow, under which there existed powers which had been found considerably more efficient than the general law as it existed in England, and in London in particular. Under these circumstances, a Bill on the subject was introduced in their Lordships' House the Session before last, and referred to a Select Committee, which prosecuted its labours during that Session; and in 1882 the Bill was again introduced and passed through that House, but too late to become law. In that Bill there were a number of clauses relating, among the rest, to pawnbrokers. He believed the profession of pawnbrokers was carried on by a large number of persons, the majority of whom were of the highest respectability; and there could be no doubt of their great importance in many ways, especially to the poorer classes. Nothing, therefore, could be further from the intention of Her Majesty's Government than to show disrespect to any of the upright and honourable men engaged in the business, or to impose upon them any unreasonable, or unnecessary and inconvenient restraints. But, on the other hand, it was a matter of notoriety that, even without any guilty connivance on the part of pawnbrokers, the most respectable of them might sometimes have stolen articles put off upon them, which, at the time, they had no means of knowing to be such; and if sufficient means had been furnished of tracing those articles, a discovery of the guilty parties might have been made. There could, also, be no doubt that in so very numerous a class of persons there were, and necessarily must be, some less scrupulous than others, who might wilfully wink at suspicious circumstances, and take pledges without proper precautions; and it was, therefore, impossible, in dealing with this subject, not to make provision for such cases. In the Bills which were introduced in the two preceding Sessions the whole subject of stolen goods was dealt with together, and in them were certain clauses made especially applicable to pawnbrokers as well as the other and different class of dealers aimed at—the second-hand dealers, or marine store dealers. The pawnbrokers, however, did not like this association in a Bill relating to stolen goods, and that clauses applicable to other persons, not exactly on the same footing, should be applied to them, and a considerable desire was felt, as far as possible, to meet their views; but their objections were not altogether overcome. On the 12th of February this year, the Home Secretary, who was desirous to do everything reasonable to meet the views of respectable members of the trade, received a deputation from that body; and in consequence of what passed at that interview an opportunity was given to the Secretary of the Pawnbrokers' Association, a very able and respectable gentleman, Mr. Hardacre, who had given valuable evidence before their Lordships' Committee, to meet the Director of Criminal Investigations, and to consider, with an Inspector appointed by the Home Secretary, the provisions of a separate draft Bill; for the Home Secretary at once determined to sever the provisions respecting pawnbrokers from the others contained in the Stolen Goods Bill, and to have a perfectly separate Bill for pawnbrokers, for the purpose of amending the Pawnbrokers' Act of 1872. The Secretary of the Pawnbrokers' Association attended at the office of the Director of Criminal Investigations on the 15th of February, and the draft prepared at that time was communicated to him. The Secretary carefully went over it, and various important alterations were made in deference, at least in part, to his suggestions. On the 19th of February Mr. Hardacre wrote to say that he, and the Committee with whom he was acting, were not authorized to represent the entire trade, and requested, on their behalf, that the draft Bill should be made public to the trade generally. But it was not thought convenient that before it was introduced into Parliament it should be circulated in that manner, or that such a course would be conducive to the speedy passing of the measure. The earlier part of the clauses in the present Bill were similar to those passed last year by the House, and the clauses dealing with information to be given to the police were in accordance substantially with the rules which had been approved by 588 out of 617 pawnbrokers of the Metropolis as desirable to be generally followed by the trade. They were to the effect that there should be a careful searching of the police lists of property lost or stolen, that prompt information in suspicious cases should be given to the nearest police station, that there should be a prompt production of articles similar to those described as being stolen, that a search of their books and stock should be made at the request of the police, and the institution of a close inquiry concerning property of special value or bearing distinctive marks, corresponding with those of the articles alleged to be stolen. There were, also, some clauses inserted as to pawnbrokers' licences, which provided that certain convictions should be endorsed on the licences; and that, after a given number of convictions, followed by penalties of a certain amount, the licences should be forfeited. The difference between this Bill and the Bill of last year was rather in the direction of mitigating than of increasing the stringency of the provisions; for instance, the power originally given to the police to search pawnbrokers' books, under certain circumstances, was withdrawn. He begged to move the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

THE EARL OF WEMYSS said, he did not rise for the purpose of offering any opposition to the Bill, as he thought that everyone must sympathize with its objects; but as it was to facilitate the discovery of crime, he feared that some of the provisions of the Bill would be found too stringent, and would tend to defeat themselves, and to suppress the business of pawnbroking. The noble and learned Earl upon the Woolsack had borne testimony to the good character borne by the majority of pawnbrokers, and was amply justified in doing so, by some rather curious statistics that had been published in the January number of *The Quarterly Review*, in which it was shown how dependent the poor were upon pawnbrokers for their existence. Those figures showed that something like 300,000 families in the Metropolis were in the habit of pawning small articles, and that if they did not do that they would have, to quote the words of *The Review*—

> "Neither fire in the grate, nor lamp on the table, nor, indeed, be able to keep the wolf from the door."

The pawnbroker was, in fact, the poor man's banker; and this question, therefore, was a poor man's question. In fact, if the pawnbrokers in the East of London were, from any cause, to suspend business for a time, it would tend to nothing less than a revolution. He believed there was a great deal of exaggeration in the notion that they were in the habit of grinding down the poor, and it was only in a very small proportion of cases that stolen goods got into their possession. In what relation did pawnbrokers stand to stolen goods, and how often did they receive them? According to the statistics, there were no less than 207,780,000 pledges taken in the course of the year throughout the United Kingdom, and the proportion of stolen goods was only 1 in 14,000. In the Metropolis more than 6,000,000 unclaimed pledges were sold by auction in the course of the year, and at those sales the police were able to identify articles that had been stolen, and the proportion of stolen goods was only as 4 to 250,000. They should take these facts into consideration, together with the one that the poor could not get on without the assistance of pawnbrokers; and if these figures were at all correct—and he saw no reason to doubt them—the character of the pawnbroking trade ought to stand very high; and it was to be hoped, considering the importance of pawnbrokers to the poor, that no unnecessary restriction would be placed on their business. He hoped in Committee the greatest care would be taken to modify what he considered the unduly stringent provisions of the Bill.

THE LORD CHANCELLOR said, he had willingly acknowledged that the majority of pawnbrokers were very respectable and honourable men; but the fact remained that a great many stolen articles found their way to the pawnbrokers' shops, which, under the present state of the law, could not be traced; while the small number of cases in which they were discovered was the strongest possible evidence in favour of the necessity for the Bill.

THE EARL OF CARNARVON said, he agreed with the noble Earl on the Cross Benches (the Earl of Wemyss). He would suggest that the clauses of the Bill should not be made too stringent. In his opinion, the House would do well to pause before so interfering with the pawnbroking trade; and, at any rate, not to do so more than was absolutely necessary. The pawnbrokers were, in several parts of London, the poor man's bankers. He would admit that there were good and bad pawnbrokers; but thought it would have been extremely unfair to have placed pawnbrokers in the same category with secondhand dealers and marine store dealers.

EARL FORTESCUE said, he would point out that competition left the pawnbrokers only small profits, which would be still further reduced by every legislative requirement which gave them additional trouble; therefore, the greater the demands that were made upon them with regard to preparing daily lists, the greater would be the charge made upon the poor who had to resort to pledging their goods.

The Earl of LIMERICK said, he fully concurred in the suggestions that had been made by his noble Friend (the Earl of Wemyss) and the noble Earl (the Earl of Carnarvon) that the clauses of the Bill should not be made too stringent. As an instance, he would ask their Lordships to look at Clause 6, which he considered enabled "suspicion" to be carried too far, and that innocent persons would suffer injury under it.

Lord TRURO said, he sympathized very much with what had been said on behalf of the pawnbrokers by the noble Earl (the Earl of Wemyss); but, on the other hand, he thought the general public would thank the noble and learned Earl (the Lord Chancellor) for bringing in a measure that would aid the police in the recovery of stolen goods. He supposed that legislation was considered desirable, because the police did not receive the amount of assistance they thought they ought to receive in their efforts to trace stolen property. He was glad to hear that the number of instances of the discovery of stolen goods followed by conviction was so very small; but still there was a class of cases in which it was difficult to obtain convictions, and in which the goods stolen did pass into the hands of pawnbrokers. While there were some who carried on large businesses reputably, there were others who did not restore stolen goods as they might do; and the additional powers conferred on the police by the Bill would probably be exercised with advantage to the public, who would not have any cause to regret the introduction of the measure.

Earl GRANVILLE said, although only the last speaker (Lord Truro) and his noble and learned Friend upon the Woolsack had expressed opinions favourable to the Bill, the general tone of the discussion had been in its favour. The argument of the noble Earl opposite (the Earl of Wemyss) that the transactions of the pawnbrokers were very large, and that there were few discoveries of stolen goods in their hands, was one that cut two ways, and, while proving the inadequacy of the existing law, suggested that some additional powers might be required. When it was said that there ought to be no unnecessary rigour in those powers, the question whether there was or not entirely depended upon the provisions of the Bill; and the argument would hardly be pushed to the extent of impeding the restoration of stolen property. As regarded the present Bill, he thought it had not been alleged that its provisions were at all too rigorous. It was simply a question as to whether there should be greater immunity with regard to stolen goods, or that pawnbrokers should be required to go into a little more detail.

After a few words of explanation from the Earl of Wemyss,

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

NAVY—WARRANT OFFICERS.

QUESTION. OBSERVATIONS.

Viscount SIDMOUTH, in rising to ask the First Lord of the Admiralty, Whether the Board of Admiralty have taken into consideration, or purpose shortly to consider any statements purporting to proceed from the warrant officers of the Navy with reference to widows' pensions, relative rank in the Service, and other matters? said, the first anomaly he wished to call attention to was that compassionate allowances were not granted to warrant officers. Pensions were also either denied, or were on a smaller scale than those of any other officers in the Navy; and they were not according to length of service, as in other cases; and they had not been revised for 80 years. The warrant officers had the charge of stores of great value; but the allowances on that account were fixed at 6*d.* a-day. The duty was a very responsible one in the case of a large ship with an immense number of shells and munitions of war, and it was felt that the allowance ought to bear some proportion to the responsibility. As a class, they were different men from what they were a few years ago; they educated themselves so as to keep pace with the introduction of machinery; and they felt that they were entitled to some slight distinction in uniform to indicate their altered position and duties. From his acquaintance with the Service, he should be the very last person to encourage anything like agitation on the part of those employed in Her Majesty's Navy; but he thought that he was doing justice to the Rules of the Service in calling attention to these matters which had been brought to his notice. There was a very proper provision in the Navy Regulations that the Admiralty should not be addressed on questions of this kind. The warrant officers and seamen could not, therefore, adopt such a course; but they had asked him and others to state their views, and therefore he now asked the Question which stood in his name on the Paper.

LORD ALCESTER: My Lords, in reply to the noble Viscount opposite (Viscount Sidmouth), I would state that an anonymous pamphlet, purporting to represent the unanimous appeal of the warrant officers of the Fleet, has been sent to certain Members of the Board of Admiralty, including myself; but we cannot believe that it is what it professes to be, or that a body of well-disciplined men, acquainted with the Regulations of the Service, could have fallen into the error of making such an application, inasmuch as they must have known that combinations of the kind are entirely prohibited. In support of that statement, with your Lordships' permission, I will read the extract from the Queen's Regulations bearing on the subject to the House—

> "All combinations of persons belonging to the Fleet for the purpose of bringing about alterations in the existing Rules and Regulations of the Royal Navy, whether affecting their interests individually or collectively, are prohibited, as being contrary to the established use and practice of the Service, and injurious to its discipline."

But, while saying that, I can assure the noble Viscount, and your Lordships generally, that the Board are always ready, in the interests of those serving under their orders, to listen to any reasonable representations, praying for the amelioration of their position, which they may receive from officers of any branch of the Service, provided that such representations are made in accordance with the Rules of the Service as laid down in the Queen's Regulations.

LAND LAW (IRELAND) ACT, 1881— SEC. 31—LOANS TO TENANTS.

QUESTION. OBSERVATIONS.

THE MARQUESS OF WATERFORD, in rising to ask the Lord President of the Council, Whether he will state the total amount of loans to tenants which have been sanctioned under the Land Law (Ireland) Act, (1881), Section 31, specifying separately the amount lent for farm buildings and the amount lent for drainage and reclamation; also the amount of loans asked for in the applications pending, but not yet sanctioned; and what steps the Land Commission takes to ensure that the money borrowed is expended in a satisfactory manner upon the improvements for which the loans are sanctioned? said, the Question which he had placed upon the Paper was one of some importance, as he was informed that a very large number of tenants had made, and a still larger number were likely to make, application for loans for the improvement of their holdings, either by the erection of buildings, or the reclamation of land, by drainage or otherwise, under the 31st section of the Land Act of 1881. He felt sure that everyone would be only too glad that the tenants of Ireland should be encouraged to improve the holdings which they occupied, more especially as, owing to the Land Act, the landlords were so effectually prevented from laying out money on their properties; but the question arose as to whether this money, which appeared to be granted so easily by the Government, was really expended in a manner that would be of use to the tenants themselves, by making permanent and real improvements upon their holdings in the best and cheapest way in which those improvements could be effected. From his experience of the manner in which tenants' improvements were carried out, he considered that there was an absolute necessity that the most careful personal inspection should be given, not only during the time the improvements were in progress, but also that a Report should be sent in upon them by competent Inspectors, as to whether they were really necessary and likely to be of permanent advantage to the holding. He had had a good deal to do with laying out improvements desired by tenants, for which he was prepared to pay a part, in former years; and his experience certainly went to show that, if such works were left to the discretion of the tenantry themselves, they would not be carried out in a manner calculated to be effective or useful, or that they would benefit anybody concerned. With regard to buildings—which would be by far the easiest thing the Inspectors would have to deal with—he was satisfied that unless the plans for them were carefully laid out by some competent person, they would very often be placed in such a position as to render them most inconvenient for the purpose for which they were intended. If any of their Lordships went over an Irish property, where the landlord or agent had not supervised the sites for the building of farm offices, they would find generally that they had been built in the most extraordinarily awkward and inconvenient position, and that the other arrangements were unsuitable. Therefore, he said that, with regard to the loans for building, it was most necessary that a competent person should draw out the plans, and supervise the improvements that were made; that before a single stone was laid it should be decided what class of work was to be done; and that no money should be advanced unless the plans laid down were carried out. The Inspector should see that the specifications were carried out to the letter, and the site, the mortar, the stone to be used, and the arches over the doors and windows should be arranged for before a stone was placed on the foundation, or a shilling of the money advanced. But buildings, as he said before, were the easiest portion of the work. It would be far more difficult to arrange for, and to see carried out in a manner to be of permanent utility, the reclamation or drainage of land. From his experience of drainage operations, as generally carried out by Irish tenants, he was satisfied that, as a rule, it was done in such a manner as to render it an injury, instead of an advantage to the land, after a very few years. And now, unless the Bill, which he heard had been lately brought in by the Government, had some provision in it to force the tenants to keep their outfalls and drains clear—the powers to do which were taken away from the landlords by the Land Act—a large part of the land, drained at a great expense, would revert to bog; and the same thing would eventually occur with regard to the very drains for which these loans were being granted. What he particularly wished to know from the noble Lord opposite (the Lord President) was, what class of Inspector had been nominated to report to the Board of Works as to the efficiency of the improvements before the loan was paid over? He was informed, on good authority, that a great number of tenants were under the impression that a large sum of money was going, and that they had only to apply for some of it to spend—not upon improvements, but upon anything they might wish. And he had been also informed, though he could not believe it, that some of the tenants in the county Cork had actually stocked their land from money obtained from the Board of Works for improvements. He had seen several letters, written by tenants to agents, which showed clearly the ideas that were abroad among them as to these loans. He would not give the names of the agents for obvious reasons, but would be happy to tell the noble Lord opposite, privately, who it was that gave the information. There were two letters, in particular, that showed more distinctly than anything else the ideas which were prevalent with regard to these loans. One tenant wrote to his agent—

> "There is some of my land going for nothing without grazing it. Now, Sir, I see that a great many small farmers are getting loans from the Board of Works. If you get me £50—half of that to buy some stock to eat what is going for nothing, and give me and the family some milk—then to leave the other half of the £50 until next spring, to drain and make new ditches, which would put my little place in tenantable repair."

And the other said—

> "I am determined to try and get some of the Government money at once, since I have no other alternative to get over some of my difficulties. There are two now pressing me for money, and I have not paid my rates. I would take £100; but if I do not get a good share of it at once, it will be out of my power to hold here any longer, as the whole amount would hardly redeem me, including your rent. When your honour would come here on business, you would do the place of an Inspector, and examine the work that would be done here for it; for, as it is well known, you are a tender-hearted gentleman."

He read these letters with a view of showing what some of the Irish tenantry believed, from experience gained from among their neighbours, as to the way the loans could be expended; and he hoped that the noble Lord the Lord President would not only be able to answer his Question satisfactorily, but would also take measures, through the Board of Works, to discourage and put an end to those theories with regard to the loans which were prevalent among the tenantry of Ireland, because they were most pernicious in their tendency. He trusted the noble Lord would also give the tenants to understand that they could not get Government money for nothing to do anything they liked with. Unless those so-called improvements should be really permanent, and should improve the holdings in a fair ratio as regarded the money expended, they would inevitably be most injurious to the landlords' interests; because when a tenant came into Court and proved before the Sub-Commissioners that he had expended so much borrowed money from the Board of Works, for which he was paying interest, unless that improvement could be clearly defined in an enhanced value of his holding, the Sub-Commissioners were pretty sure to cut down the rent, at any rate, by the amount of the interest which the tenant was paying; and if there should be no permanent value produced by the money laid out, it would be the landlords, and not the tenants, who would have to pay the interest for the money which the latter had obtained for their sole advantage. He begged to put the Question which stood in his name to the noble Lord opposite (the Lord President).

LORD HARLECH said, he fully agreed with much of what had fallen from his noble Friend (the Marquess of Waterford). Personally, he had reason to believe that, in some cases, not one farthing of the loan was applied to improvements. In his own case, one of his tenants had offered him, if he (Lord Harlech) would join in an application for money for improvements, that he (the tenant) would pay his rent. He need not say he had not agreed to the transaction.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that if any Irish tenants, such as those who had written the letters referred to by his noble Friend (the Marquess of Waterford), or even his noble Friend himself, imagined that it would be in their power to do what they liked with the money obtained from the Government by way of loan, he was very glad that his noble Friend should have asked that Question; because the sooner such a delusion was removed the better would it be for all parties. It was the more necessary that the Question should be answered, because, as it appeared to him (Lord Carlingford), his noble Friend seemed half inclined to believe it himself. If the tenants referred to and his noble Friend thought that the statements in those letters represented, in the slightest degree, conduct consistent with the requirements of the Board of Works, they were entirely mistaken. The Board of Works, under the orders of the Treasury, appeared to take the greatest precaution that these loans should be properly expended. He could not do better than read a letter which he had received from Colonel M'Kerlie, at the head of the Board of Works, in regard to the system adopted by the Board in this matter. In it he said—

> "With regard to the steps taken to insure the satisfactory expenditure of the moneys borrowed, the system is that, after the advance of the first instalment, no further advance is made until it has been ascertained by inspection that the previous one had been expended in a proper manner, and full value given for its amount; and, after the last advance, a final inspection is made on the borrower reporting—as he is required to do by letter—that the works have been completed, when, if found in all respects to be satisfactory, a certificate is sent to him of the amount and details of his expenditure. Every precaution is, in fact, taken to see that the loans made are fully and beneficially expended."

He had also before him some of the forms of application required by the Board of Works. One form required the party concerned to notify to the Board the completion of the works, in order that the Inspector might see them. Another forwarded him a certificate to be filled up, testifying that the works had been executed, and that the money had been expended on the improvements. He did not know that greater precautions could be taken. As to the facts and figures required, they were these—He had them down to the 16th of June. At that date, 15,019 loans to tenants had been sanctioned, amounting to £161,000; and, although he was not able to give the exact amount in respect of the three different subjects mentioned in the Question, yet he was informed that about one-third of that amount had been sanctioned for farm buildings. There were still under inquiry 1,442 loans, amounting to £185,000. The total number of applications received was 3,397, and the amount applied for was £390,000. He should be happy to supply further Returns to the House, if the noble Marquess wished.

THE EARL OF LIMERICK said, he wished to point out that there was nothing in the regulations of the Board of Works with respect to supervision in regard to the expenditure of the first instalment. The tenant might receive the preliminary amount, and not expend it as he ought; and it was only when he sought for a second instalment that there would be any inspection. He was afraid that, in many cases, the second instalment was never applied for, in which event, no supervision or control was exercised over the proper expenditure of the first. It appeared to him that what was wanted was a due supervision over the expenditure of the first instalment. That was very desirable, because, at present, small tenants might receive the first instalment, and not expend it for the purpose for which it was wanted.

EARL FORTESCUE said, that beyond the contingency referred to by the noble Earl opposite, he thought it would be easy, after receiving the first instalment, for a tenant to conceal the defects of his work, and thus obtain the second instalment. It was inspection in the first instance that was most required.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, as he was at present informed, these loans were not made in a single instalment, but always in more than one; and no second instalment was made until the Board of Works was satisfied, by the Report of the Inspector, that the first had been well employed.

THE EARL OF LIMERICK said, he was afraid the noble Lord opposite (Lord Carlingford) did not catch his meaning. Many tenants might obtain the first, and not apply for the second instalment, in which case no inspection would be made of the works done under the first instalment.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he was no aware at the moment, that any such cases had arisen; but he would certainly inquire.

THE MARQUESS OF WATERFORD said, he wished to know whether the noble Lord opposite (Lord Carlingford) would cause to be entered, in the Return the number of applications in which tenants had obtained the first instalment, and had not proceeded further with the work? He wished also to point out to the noble Lord that he did not answer one important point with regard to the Inspectors. He (the Marquess of Waterford) had asked him particularly what class of Inspectors were nominated; whether they laid out the sites for building; and whether plans were handed in which the tenants were obliged to carry out?

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, that he had answered all the paragraphs of the Question on the Paper excepting this one; and the reason why he had not answered that part of the Question was simply because he did not know, but he would make inquiry.

THE MARQUESS OF WATERFORD said, that he would repeat the Question later on.

RAILWAYS—CONTINUOUS BRAKES.

QUESTION. OBSERVATIONS.

EARL DE LA WARR, in rising to put a Question to Her Majesty's Government as to their intentions with respect to railway continuous brakes, said, it was now six years since the Board of Trade had issued a Circular to Railway Companies, specifying the conditions which they considered essential to an efficient brake, and urging the importance of its adoption with a view to safety in railway travelling. In order to secure information being given to Parliament on this subject, an Act was passed in 1878 making it compulsory on Railway Companies to give periodical Returns of the number and kind of brakes in use upon their lines. Notwithstanding the unsatisfactory nature of those Returns, which was admitted by the Board of Trade, no steps had been taken by Her Majesty's Government. As long ago as 1880, the President of the Board of Trade (Mr. Chamberlain), in answer to a deputation, said—

"If the Companies set their backs against the wall, and will defy public opinion, and ab-

> solutely refuse to be guided by the recommendations of the Board of Trade, there will be no alternative but for Government to lay a statement of the whole case before Parliament, and point out how ridiculous is our position, and ask for further powers as may be necessary."

In the meantime, nothing had been done beyond laying Returns before Parliament, which Railway Companies regarded as a proof of their power to resist Parliamentary interference. In consequence of Her Majesty's Government not attempting to do anything, he (Earl De La Warr) had introduced a Bill last Session which passed the second reading, but which was rejected on going into Committee on the Motion of the noble Lord who was Chairman of the Directors of the Great Northern Railway (Lord Colville of Culross). It seemed to him that the position of Her Majesty's Government, as represented by the Board of Trade, was, as regarded this question, a very anomalous one. The Board of Trade said that it was a very essential element, to insure safety in railway travelling, that there should be efficient brakes. Six years ago they stated in their Circular—

> "There can be no reason for further delay; and the Board of Trade feel it their duty again to urge upon the Railway Companies the necessity for arriving at an immediate decision and united action in the matter."

They not only urged the importance of an efficient brake, but they also specified the kind of brake which they considered necessary, and they would authorize the use of no other. Yet the Railway Companies laid every year Returns before Parliament, showing that these regulations were not complied with in a large number of instances. The Board of Trade also admitted that the Returns of the number and kinds of brakes in use were highly unsatisfactory; but what was the result? The evil was admitted; the remedy was known and acknowledged; but six years had elapsed and nothing had been done. He knew the argument was used that it would be better to let the Railway Companies adopt a brake for themselves, and there was no one who desired this more than he did. But were the Railway Companies doing it? That was the question. Let their Lordships look at the Returns; the last Return was made in December, 1882. There were, he believed, about 79 Companies; and out of these there were only six who had, to any extent, complied with the requirements of the Board of Trade. They were the Great Western, the Midland, the London and Brighton, the North-Eastern, the North British, and the Great Eastern. These had a considerable number of engines and carriages fitted with brakes as recommended by the Board of Trade. Several other Companies had a small number only of their engines and carriages so fitted. Among these latter, one of the most important lines—the Great Northern—had only two engines and 14 carriages fitted according to the requirements of the Board of Trade. Then, among those Companies which were using brakes which did not comply with the conditions which were considered by the Board of Trade to be essential to an efficient brake, were the North-Western, the Great Northern, and many other Companies, employing brakes which were not continuous throughout, or were not self-acting, or were applied by the engine driver only, or by the guard only. Briefly, it appeared from the Returns of the Railway Companies themselves that only six Companies had fully complied with the requirements of the Board of Trade; about 20 other Companies had partially done so; while more than one-half of the Companies had ignored them altogether. He would not enter into further details; but he asked whether that was a state of things which ought to continue? The Board of Trade had come to the conclusion, after a long and careful consideration of the question, that brakes of a certain description were necessary for safety in travelling. Railway Companies, with few exceptions, had not adopted them, and, as far as he was informed, did not intend to do so. If a Bill were introduced by a private Member of their Lordships' House, the argument was used that it was a question for the Government to deal with. He quite agreed with that; and, therefore, he would ask Her Majesty's Government whether they intended to deal with it; and, if so, whether in the manner described in the Circular of the Board of Trade of August, 1877?

VISCOUNT BURY said, that, although he had been for many years connected with the direction of an important Railway Company, he had no connection with any Railway Company at the present time, nor had he had any for the last seven years; and, therefore, he could speak with impartiality on this subject. If any real necessity existed for the application of these brakes, public opinion would call for them. The public had not demanded them; and he thought the matter was one which might safely be left to the Railway Companies themselves, seeing that it was in the obvious interest of the Companies to carry their passengers as safely as they could. Besides, the large amount of business done by the Railway Companies with an immunity from accident which, of late years especially, had been extraordinary, showed that the Railway Companies were adopting, of their own motion, continuous brakes, or such other contrivances as they found conducive to public safety. It must be further borne in mind that it was impossible to devise any particular form of brake which would suit the peculiarities of every railway, when the different gradients that existed on them were taken into consideration. He thought it was a subject that ought to be left entirely to the experts interested in it. He objected to grandmotherly legislation such as the noble Earl (Earl De La Warr) was in favour of, and thought that no private Member of either House ought to originate legislation dealing with the question to which the noble Earl had drawn attention.

Lord SUDELEY: My Lords, it is not possible, during the present Session, for the Government to deal with the continuous brake question; but I may say, at the same time, that the experience gained since the Circular of 1877 was written only confirms the Board of Trade in the necessity for the conditions which were then set forth being adhered to in any system of brakes which may be adopted, and the necessity for uniformity is also made apparent every day. The Board of Trade regret that many of the Railway Companies have not thought it advisable to adopt a brake complying with the conditions suggested in the Circular; but while the number of Companies who have done so is small, still some progress is being made in the matter. If the noble Earl himself were to introduce a Bill for the purpose of making it compulsory upon Companies to adopt a brake complying with those conditions, the Board of Trade would be happy to support such a measure.

CHANNEL TUNNEL — MEMORANDUM OF H.R.H. THE DUKE OF CAMBRIDGE.

QUESTION. OBSERVATIONS.

The Earl of SHAFTESBURY, in rising to ask the Secretary of State for Foreign Affairs, Whether he will lay on the Table of the House a copy of a Paper prepared in the Intelligence Department and mentioned by H.R.H. the Duke of Cambridge in a Memorandum addressed by him to Mr. Childers, and printedin the Channel Tunnel Correspondence, page 303? said, that one of the chief arguments against the construction of the Tunnel was that, in consequence of its construction, this country would be exposed to surprises on the part of enemies. His Royal Highness the Duke of Cambridge had addressed a Memorandum to Mr. Childers, in which he stated that he was satisfied, from all historical evidence, that the danger of surprise would be very great indeed; and someone having remarked that we need have no fear of surprise, because hostilities were always preceded by a declaration of war, His Royal Highness combated that argument, and said in the document, which he (the Earl of Shaftesbury) hoped would be laid on the Table of the House, because he regarded it as very important, as showing the necessity for taking all possible precautions for insuring the security of the country—

> "That hostilities had frequently commenced during the course of diplomatic correspondence, having been preceded by no declaration of war, and that fortresses had been seized without resistance from the defenders, because they had no reason to expect hostilities."

He (the Earl of Shaftesbury) was the more inclined to ask for the Paper in question, because His Royal Highness stated that the documents upon which his opinions were founded were in no sense confidential, and that no diplomatic difficulty could be caused by their publication. He hoped, therefore, that the noble Earl would comply with the request contained in his Question.

Earl GRANVILLE, in reply, said, the document in question was a War Office and not a Foreign Office Paper; but, in consequence of the Notice of the noble Earl, he had communicated with the War Department on the subject, and had ascertained that there would be no objection to the publication of the document which the noble Earl desired to have. It had been communicated to the Channel Tunnel Committee, with a great many other Papers, and would be published in their Report. Although, as he had said, there would be no objection to lay the Paper on the Table at the proper time, the War Office was of opinion—and he (Earl Granville) shared their view—that it was not desirable to pick out this particular document and print it separately from the others, which were very voluminous, but that the whole should be presented together to Parliament.

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Eleven o'clock.

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HOUSE OF COMMONS,

Friday, 22*nd June*, 1883.

The House met at Two of the clock.

MINUTES.]—New Writ Issued—*For* the Town and Port of Hastings, *v.* Charles James Murray, esquire, Manor of Northstead.

Private Bills (*by Order*)—*Considered as amended*—*Third Reading*—Brentford and Isleworth Tramways*; Freshwater, Yarmouth, and Newport Railway*; Milford Docks*; Newport Dock*, and *passed.*

Third Reading—Sir Robert Peel's Settled Estates, and *passed.*

Public Bills—*Committee*—Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Eighth Night*]—r.p.

Report—Drainage (Ireland) Provisional Orders (No. 2)* [230]; Local Government Provisional Orders (No. 9)* [200].

Third Reading—Local Government Provisional Orders (No. 6)* [195]; Local Government Provisional Orders (No. 8)* [199], and *passed.*

PRIVATE BUSINESS.

SIR ROBERT PEEL'S SETTLED ESTATES BILL. [*Lords.*] (*by Order.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. ARTHUR ARNOLD said, he had intended to offer one or two observations upon this Bill on the second reading; but as it was taken at a time when the discussion would have interfered with Public Business, and as he was indisposed to obtrude upon the valuable time of the Government, he refrained from bringing the matter forward on that occasion. Now, however, that he had the opportunity, he wished to say that he thought if the great Sir Robert Peel could have been in the House that day he would regret that he had contributed in any way to the greatest social evil of any country, and would look with disapproval upon the mode in which a territorial possession was being founded in his name. When the last Settled Land Act was introduced, Lord Cairns, the author of it, said that after it was passed into law no further legislation would be required in this direction; but, as if in mockery of that assertion, this Session there had been a larger number of Bills introduced dealing with settled estates than in any previous Parliament. There were at present three Bills of this class before the House of Lords; and this was the third measure dealing with private settled estates by means of a Bill which had come before the House of Commons. He was bound to say, although he did so with deep regret, that if the House were disposed to do its duty with regard to this and similar measures it would insist on the promoters of the present Bill being relegated to the provisions of Lord Cairns' Settled Land Act; and if that was not sufficient for them and the creditors, they should be told to wait until the House should have passed a measure which was, perhaps, more urgently needed in England than any other in regard to land—namely, a measure dealing with encumbered estates. Under Lord Cairns' Act, Sir Robert Peel had power to deal with every acre of 10,000 acres included in the estate, except that portion immediately connected with the house and grounds. He (Mr. Arthur Arnold) was assured by solicitors in the House and in different parts of the country that one of the chief difficulties introduced by these Bills, and that which impeded the most useful operation of Lord Cairns' Act, was that there was a prohibition in the Act against the sale of the house and grounds of Drayton Manor. The present Bill really had for its object the keeping of 10,000 acres of land in one of the most fertile counties of England in embarrassed hands; and it would prevent the passing of a certain portion of the whole of the estate into hands which would make better use of it, so far as the interests of the people of the country were concerned. If Sir Robert Peel and his friends liked to make use of Lord Cairns' Settled Land Act, they could effect all they desired by the sale of some portion of this large estate. There were in the United Kingdom some 50,000,000 acres of land in the position of the estate with which this Bill dealt; and all the ills of the country put together were slight, he contended, compared with that which was inflicted by the policy of settled lands. What was wanted in connection with the estate of Sir Robert Peel, and other similarly situated settled estates, was the adoption of the policy pointed out by the noble Marquess (the Marquess of Hartington) in addressing his constituents in Lancashire, when he said—

> "We need to get rid of those obsolete and artificial restrictions"—

such as were contained in this very Bill—

> "which prevent that natural distribution of land in a way that would be most advantageous to the State."

As it was, embarrassed landowners could not, under Lord Cairns' Act, part with their whole estate; and, what was far more important, over the vast area of settled land in this country there was not an acre which could be——

Mr. SPEAKER: The hon. Gentleman is now going beyond the immediate Question before the House.

Mr. ARTHUR ARNOLD said, he had only to add, with strict reference to this Bill, that he felt sure the great man who gave to the people of this country the blessing of untaxed food, all the more sweet because it was unleavened with the sense of injustice, would, if he could have been there that day, deeply regret that he should have contributed to this monster evil of this country, and would not look with disapproval on an humble follower of his policy, and one who entertained the deepest reverence for his memory, who, in the case of his own settled estate, ventured in the House of Commons to raise a protest in favour of free land. He regretted that he was unable to divide the House upon the question.

Mr. RAIKES said, he felt that it was hardly possible for him to sit there without expressing the regret which he felt, and which, no doubt, would have been still more largely expressed if the House had been fuller, that any hon. Member should have felt it his duty to make such a speech as that which had just been delivered by the hon. Member for Salford (Mr. Arthur Arnold). It would be an extremely unfortunate precedent if Bills of this class—Estate Bills to give a legislative sanction to arrangements made between private persons in matters which concerned only themselves, were to be dragged from the obscurity they had hitherto been allowed to enjoy, in order to form a theme for a tedious disquisition upon free land. He hoped it would be long before there would be a repetition of what he could not help regarding as one of the worst examples he had ever seen of an abuse of the privileges enjoyed by hon. Members of that House.

Mr. HOPWOOD said, he thought the remarks which had been made by the right hon. Member for the University of Cambridge (Mr. Raikes) were hardly deserved by anything which had been said by the hon. Member for Salford (Mr. Arthur Arnold). In his opinion, his hon. Friend had done quite right in calling attention to the present system of consecrating large interests of private individuals in Acts of Parliament, and of ignoring those interests which concerned the public. He hoped his hon. Friend would continue to enter a protest whenever a similar Bill was brought in. His hon. Friend had done good service, and he trusted he would persevere in the same course of action, notwithstanding the remarks which had fallen from the right hon. Member for the University of Cambridge.

Mr. LABOUCHERE said, he thought the fact that his hon. Friend the Member for Salford did not propose to divide against the Bill showed, on the whole, that he was not opposing it. He (Mr. Labouchere) certainly felt called upon to protest against the view that when a Private Bill was brought down to that House any hon. Member did not possess the right of expressing an opinion against it. Surely his hon. Friend had a perfect right to do that. If his hon. Friend had taken a vote against the Bill, he (Mr. Labouchere) would not have supported him; but he would have voted in favour of the measure. At the same time, his hon. Friend was fully entitled to be heard.

Question put, and *agreed to.*

Bill read the third time, and *passed,* without Amendment.

QUESTIONS.

NEW SOUTH WALES—DISAPPEARANCE OF AN EXPLORING PARTY AND BOAT'S CREW.

MR. ALDERMAN COTTON asked the Under Secretary of State for the Colonies, With reference to the sudden and mysterious disappearance on the sea coast in October 1880, and within 200 miles of Sydney, of a party of five men, the leaders of whom were two officers of the New South Wales Government, viz. Mr. Lamont Young, an Associate of the Royal School of Mines and a Fellow of the Geological Society, and a German gentleman, Mr. Max Schneider; and, whether any circumstances have been discovered, tending to clear up this mysterious occurrence, by the New South Wales Police; and, if not, whether he would suggest to the Governor of New South Wales to have the present offered reward of £200 largely increased, with a view to elucidate the matter, as it is firmly believed by many that the party were murdered?

MR. EVELYN ASHLEY: Sir, the New South Wales police have used the utmost diligence in trying to account for the mysterious disappearance of these men; but hitherto they have failed to obtain any clue beyond what was given by the discovery of the empty boat. As to the question of the offered reward, the matter rests with the New South Wales Government, who have already informed the father of Mr. Young that there does not appear to be any good reason for supposing that an increased reward would now lead to any fresh discovery. The hon. Member says it is firmly believed by many that the party was murdered; but I may remind the hon. Member that it is firmly believed by many others that the party was drowned.

MR. ALDERMAN COTTON said, that the friends of Mr. Young believed that these unfortunate gentlemen were murdered, and that an increase of reward would lead to discovery. He hoped the Government would take the matter into consideration.

PREVENTION OF CRIME (IRELAND) ACT, 1882—CHARGE FOR EXTRA POLICE.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, Under what Clause of the Crimes Act the Lord Lieutenant has power to charge the cost of extra Police to a different barony in a county from that in which they are employed on special protection duty?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, this Question was of a somewhat abstract character; but he had no objection to answer it. He was not aware of any section of the Crimes Act which authorized the Lord Lieutenant to charge the expenses of one barony upon another, unless both were in the same proclaimed district.

MR. O'SULLIVAN asked whether such a charge had not been made upon the barony of Kilmallock in respect of police services performed in a neighbouring barony?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, he was informed that the hon. Member was under a mistake in reference to this matter. There had been no charge on one barony for services performed in another.

ARMY—ORDNANCE DEPARTMENT—MR. LYNAL THOMAS.

MR MACFARLANE asked the Surveyor General of Ordnance, If his attention has been called to a Paper circulated amongst Members of this House by Mr. Lynal Thomas, in which that gentleman makes the grave charge of "fraud" against the War Department, in connection with his claim to be the inventor of the heavy guns now in use in Her Majesty's Navy; and, if he proposes to institute any inquiry into the case for the purpose of refuting such a serious imputation?

MR. BRAND: Yes, Sir. The attention of the Secretary of State has been called to the charge of fraud made by Mr. Lynal Thomas against the War Department; but it is not his intention to institute any further inquiry, as he fully concurs in the decisions of previous Secretaries of State, which were arrived at after full consideration of the subject.

PLACES OF PUBLIC ENTERTAINMENT — LICENCES — THE SUNDERLAND CALAMITY.

Mr. MACFARLANE asked the Secretary of State for the Home Department, If, in consequence of the Sunderland calamity, and others which have occurred in several towns upon the Continent, arising from insufficient means of exit from places of public entertainment, he intends to bring in a Bill, applicable to the whole Kingdom, enforcing such regulations before licences are given to such buildings, as will insure the safety of the public in case of fire or panic from any cause?

Sir WILLIAM HARCOURT: Sir, as the Question refers to the Sunderland calamity, I do not think it would be well to anticipate the inquiry into that matter; but certainly the information I have obtained points rather to the fact of the exits having been closed than to any supposition that they were insufficient. I was informed by the local authorities that they examined the building some time before this occurrence, and the modes of exit were deemed sufficient. As regards the general question, I should be glad if the local authorities had powers over these buildings. But, as I previously informed the hon. Member, these powers have been refused by the House of Commons in the case of Manchester.

Mr. MACFARLANE: The right hon. and learned Gentleman has not answered my Question whether he will bring in a measure for the whole of the United Kingdom?

Sir WILLIAM HARCOURT: I am afraid I cannot undertake that—at all events not this Session.

THE POTATO CROP — REPORT OF THE SELECT COMMITTEE — EXPERIMENTS.

Sir HERBERT MAXWELL asked the Chancellor of the Duchy of Lancaster, Whether proposals have been received from the Highland and Agricultural Society, in conformity with the recommendations contained in the Report of the Select Committee on the Potato Crop, 1880, namely, to undertake, with the pecuniary assistance of the Government, a series of experiments with a view of producing new and disease-proof varieties; and, whether these proposals have been favourably considered?

Mr. DODSON: Sir, Lord Carlingford and myself had an interview recently with some gentlemen representing the Highland and Agricultural Society, who came to ascertain whether the Government would be disposed to give pecuniary assistance, either by means of grants in aid, or by providing inspection of such experiments as are referred to in the Question. The Committee of the Privy Council are deeply sensible of the services rendered to agriculture by this Society, and of the weight that attaches to any suggestion proceeding from them. We have, therefore, very carefully considered the matter; but I am bound to say that we fear if the State were to give pecuniary assistance to these agricultural experiments it would be making a dangerous precedent, and we regret we cannot undertake to give this assistance.

Sir HERBERT MAXWELL: Then, am I to understand that there is no intention on the part of the Government to follow out the recommendations of the Committee on the Potato Crop, 1880?

Mr. DODSON: As at present advised, there is no such intention.

OPEN SPACES (METROPOLIS)—PECKHAM RYE.

Sir R. ASSHETON CROSS asked the Secretary of State for the Home Department, If it is true that he has refused to receive a deputation of the principal inhabitants of Peckham Rye on the subject of the Bye Laws framed by the Metropolitan Board; and, if so, if he will reconsider his determination, and receive the deputation before taking any action in the matter?

Sir WILLIAM HARCOURT: Sir, the difficulty is to find time during the 24 hours which constitute the day. What with Morning Sittings of the House of Commons, what with Evening Sittings of the House of Commons, and what with the Business of the Department, the time available to deputations is limited, and I have to apportion them a little in proportion to the importance of the subject-matter. I have received deputations from Peckham Rye, I have spoken about Peckham Rye, I have written about Peckham Rye, and I think I have appropriated as much time to Peckham Rye as belongs to the importance of the subject. If the right hon. Gentleman thinks I ought to hear more of Peckham Rye, I shall be happy to do so, especially if the right hon. Gentleman will undertake to introduce the deputation. [Sir R. ASSHETON CROSS: I cannot promise that.] As the right hon. Gentleman, when in Office, introduced the rather novel practice of directing from the Front Opposition Bench what deputations should be received at the Home Office, if the right hon. Gentleman will undertake that the number composing this deputation shall not be inordinate, and that the speeches shall not be long, I shall be very happy to receive it under his auspices.

SIR R. ASSHETON CROSS: I am obliged to the right hon. and learned Gentleman; but I hope he will excuse my accompanying it. I should not have asked this Question, had it not been that I have received a letter from the vicar of the parish, speaking in the name of a large number of the leading inhabitants, asking that I should bring this matter before the Secretary of State. I will convey to them the answer I have received.

POST OFFICE—CASE OF MISS HODGSON.

MR. MACFARLANE asked the Postmaster General, If his attention has been called to the case of Miss C. Hodgson, who was deprived of her appointment in the Post Office in 1879 on the ground of ill health; and, whether he would be prepared to reconsider the case, with the view of restoring Miss Hodgson to her former position.

MR. FAWCETT said, this matter had been carefully considered; and he regretted that, in the interest of the Public Service, he could not accede to Miss Hodgson's request.

LAND LAW (IRELAND) ACT, 1881—SEC. 31—LOANS TO TENANTS.

MR. O'CONNOR POWER asked the Secretary to the Treasury, If it is true that the application of Mr. John Dempsey, of Keelogues, Castlebar, county of Mayo, for a loan of £60, under the Land Law Act, which was forwarded to the Irish Board of Works in December last, has not yet been granted, although Mr. Dempsey has complied with all the conditions of the loan; and, if so, whether it is usual for the Board to allow six months to elapse before granting applications of this description?

MR. COURTNEY: Sir, this case was not received, in a practical form, until the end of January, and it was sanctioned before the end of May. This interval is much more than what is usual, the case having been delayed by exceptional difficulties, partly due to the action of the applicant. I am sorry to say that, although the necessary information required, and inquiries made, are reduced, as far as I can see, to the most moderate dimensions, the terrible want of business faculties on the part of tenants applying for loans is a cause of repeated delay.

ORDER OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 21st June.*]

[EIGHTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Practices.

Clause 4 (Punishment of candidate found, on election petition, guilty by agents of corrupt practices).

Amendment proposed,

In page 2, line 29, at end of Clause, to add the words—"Provided, That, if it be proved to the satisfaction of the election court that no corrupt practice was committed with the knowledge and consent of such candidate, and that such candidate took all reasonable means for preventing the commission of corrupt practices, such candidate shall not be disqualified, as hereinbefore provided; and if such candidate has been elected, and it is further proved to the satisfaction of the election court that the result of the election was not affected by any corrupt practices, his election shall not be void."—(*Mr. Gorst.*)

Question proposed, "That those words be there added."

SIR WALTER B. BARTTELOT said, he was glad to see the hon. and learned Attorney General in his place, because he was anxious to say one or two words upon the very important question raised by the Amendment of the hon. and learned Member for Chatham. Notwithstanding what the right hon. and learned Gentleman the Secretary of State for the Home Department had said yesterday, this question could not be divided; they must discuss the question raised by the Amendment, together with the question as to the discretionary power to be given to the Judges. He ventured to say that, although the great object of the Bill was to protect constituencies from being corrupted, it also ought to give fair play to the candidate. The Government would find that if they drew the meshes of the Bill too tight, they would produce a result diametrically opposed to that which they intended. Of this he was convinced—that gentlemen of a certain class, who found that they might be brought up and convicted for corrupt practices of which they had no knowledge whatever, would be very unwilling to stand for the honour of a seat in that House; men of moderate means would not like to be called upon to defend themselves from charges founded upon acts of which they knew nothing. They knew very well that a certain class of men who had nothing to lose and everything to gain by standing for a seat in the House of Commons would care nothing at all about such matters. But if the effect of the Act should be to prevent a different class of men from being Members of Parliament, there was no doubt in his mind that great mischief would be done. He remembered a case in point which occurred in his own county. He would not mention any names; but it happened that a voter of the borough referred to, coming from a distance to vote, was inadvertently paid his expenses. Being subsequently informed that a Petition was to be presented against the validity of the election, he (Sir Walter B. Barttelot) advised that no such steps should be taken, simply because the act was one of inadvertence. However, the case came on, the act of payment was proved, and the Member was unseated. But what was the result? The majority of the electors were determined to return a man of the same principles as those of the man who had been turned out. This actually took place, and a considerable amount of ill-feeling had existed in the borough ever since. Before they parted with the Amendment, he said they were entitled to hear from the Attorney General the course which the Government intended to take with regard to the new clauses, one of which he hoped to see added to the Bill. Was the hon. and learned Gentleman going to support any one of those clauses or not? Because, if not, he ventured to say the Bill would take a much longer time in passing through the House than otherwise would be the case. The Attorney General had told them yesterday, fairly and honestly, that he would rather throw up the Bill than add to it a certain Amendment. He had not said much with regard to the present question; but he could assure him that, unless he was prepared to make some concession with regard to the power of the Judges, the progress of the Bill would certainly not be facilitated. The hon. and learned Gentleman would give the Judges every discretionary power with regard to the punishment of criminals; yet, when he came to the punishment of men who might be absolutely innocent, he would not give them an atom of licence to say whether corruption had or had not prevailed at an election. He believed that if some discretion of the kind was not given the Act would not be worked as they all desired it should be. He appealed to hon. Members to say whether they thought it wise, or right, or prudent that some discretionary power should not be given to the Judges respecting acts committed inadvertently with regard to elections? As far as the main principles of the Bill were concerned, his opinions with regard to them were as strong as those of any man in the House. He should be glad to see corruption punished; but, at the same time, he remembered that this might be done at too great a cost.

MR. LYULPH STANLEY said, it appeared to him that the effect of some of the Amendments placed upon the Paper by hon. Members opposite would be to make bribery easier. He would say this—that if they were to have any modification of the clause, he thought, of all the Amendments on the Paper, that of the hon. and learned Member for Chatham (Mr. Gorst) was the worst. He would rather that the clause were maintained in its present form; but if any modification was to take place, he thought that in substance the Amendment of the hon. Member for Londonderry (Mr. Lewis) was the most acceptable. He could not avoid looking at the various ways in which it was proposed to modify the clause. The hon. Member for Londonderry, while he held the candidate morally guiltless of acts committed by an agent without the knowledge of the candidate, had framed his Amendment in such a manner that the candidate would get no profit out of the matter. He made the election simply void; it was, so to speak, wiped out, and the candidates started again fair and afresh. That he thought was a fairer proposal than that a candidate should profit by the corrupt practices of his agent, and retain his seat. The hon. Member for Londonderry, in his Amendment, dealt with corrupt practices of inconsiderable extent and importance. But he considered they should rather look to the absolute triviality of the act than to the result which that act might have upon the election; because they all knew that in the case of Election Petitions they could not always prove the extent of corruption which any man of common sense knew to have taken place. He thought they should throw on the Judge the duty of finding affirmatively that he was satisfied that the corruption committed was of a very trivial character, and that it had not had any effect on the result of the election; and, lastly, he thought that the provision of the hon. Member for Londonderry that the election should be void was one of the most vital elements of the question. If the two Judges, being in the position of a jury, concurred in finding that the candidate had done all in his power to keep the election pure, and that the agents were remote agents of whose existence the candidate did not know, then he thought they might give them a discretionary power to relieve the candidate from the consequences of acts of a trivial character; but he protested against the candidate making any profit out of those acts. He agreed that the object of the Bill was not to make life easy or pleasant to gentlemen desirous of obtaining a seat in that House, but to get rid of the corruption which so contaminated the electoral system of the country.

MR. RAIKES said, he would rather discuss the question before the Committee than go into that raised by the last speaker in reference to the Amendment of the hon. Member for Londonderry and others. It seemed to him that they were now brought face to face with the consideration that the corrupt practices which they would have to deal with in future would probably not so much be committed by persons acting on behalf of the candidate as by political Associations. As hon. Members would be aware, a large number of smart young men were sent out from a particular centre as apostles to various constituencies in the country, who conducted their operations in the interest of one of those Associations; and they must consider how far they would be opening the door to those operations in their desire to protect the candidate. He agreed that it was hard that the candidate should suffer for acts committed by persons only thus remotely connected with him; but in reference to the danger to which he had adverted, it seemed to him that if they passed an Amendment like this, they would really be flooding the constituencies with corrupt agencies such as he had described. Persons of the kind he had alluded to would go into a borough, and proceed to indulge in the methods which they believed would carry the election; and if the successful candidate could show that he was not cognizant of what had taken place, although the election were declared void, he could present himself for re-election, and, so to speak, walk over the course; it would amount, practically, to giving him the seat. Then the hon. and learned Member for Chathm said in the second part of his Amendment—

> "If such candidate has been elected, and it is further proved to the satisfaction of the election court that the result of the election was not affected by any corrupt practices, his election shall not be void."

He thought, because the seat would be secured, persons would be perfectly willing to run the risk of the consequences which attached to the acts of the individuals he referred to. They would have got their man in. But if they could not prove what was required by the latter part of the clause, they would rely on the popularity that attached to the candidate to see him take his seat. He said, if they were to open the door to these practices, they might as well put an end to the Bill altogether. However anxious he should be to support any clause which would have the effect of protecting the candidate against practices of which he was not the author, he should think it very undesirable to render possible such a state of things as he had described.

Mr. R. T. REID said, he had every respect for the motives which induced the hon. and learned Member for Chatham to move this Amendment, because he believed that he was really desirous of putting down corruption at elections; but he must say that had the hon. and learned Gentleman been experienced in such matters, he could not have drafted a clause which would have greater effect in encouraging corrupt practices than that which he had submitted to the Committee. The first part of the Amendment provided—

> "That, if it be proved to the satisfaction of the election court that no corrupt practice was committed with the knowledge and consent of such candidate, and that such candidate took all reasonable means of preventing the commission of corrupt practices, such candidate shall not be disqualified as hereinbefore provided."

That meant that a candidate should be allowed, if the election were declared void, to stand again at once, and reap the advantage of the bribery which had taken place, say, within three weeks preceding the election. If the Amendment were carried, he did not believe there would ever be an instance of any candidate being proved, to the satisfaction of the Court, to have committed corrupt practices at his election; because it would be said that he had taken all reasonable means to prevent them. Every Gentleman whose election was disputed on the ground of corrupt practices would go into the witness box and say—"I did all I could to prevent corrupt practices; I did not put people in possession of money to spend for me. How can I help it if Liberal or Conservative Associations spend money for me?" He would be able to say, in each particular case, that he had no knowledge of, and had never consented to, the bribery which had been proved. What would be the result of that? No matter what amount of bribery had taken place, so long as it fell short of that general corruption which was sufficient to set aside the election, the candidate could stand again at the election, and he would be regarded as a martyr. Why, under such circumstances, the constituency would almost be ready to elect a walking stick. If the corrupt practice fell short of that which was general corruption, no matter how bad it might be, if the candidate could show that it was not committed with his personal knowledge, it was no use to petition against his return, and no man of sense would advise such a proceeding. The result would be that it would be perfectly hopeless to attempt to resist the return of the candidate at the second election which would take place. With regard to the second part of the Amendment, which said—

> "If such candidate has been elected, and it is further proved to the satisfaction of the election court that the result of the election was not affected by any corrupt practices, his election shall not be void."

This, in the first place, imposed on the Election Court the duty of carrying on an inquiry for, perhaps, eight or ten days before the Court could say that the corrupt practices committed were such as had not affected the result of the election. Secondly, its meaning was that a candidate might bribe, to a certain extent, with impunity, except so far as personal liability was concerned; and if there were a majority of 1,500, or thereabouts, in a large constituency, he might bribe to the extent of 500 votes, because that number would not affect the result of the election. They could not ascertain one tithe of the actual corruption which took place; and this portion of the Amendment amounted to an invitation to the candidate to bribe sufficiently to make the election sure, because it might be relied upon that not one-tenth of the bribery committed would be discovered, and unless a large mass of bribery could be proved the election would not be found to be void. He drew the attention of the Committee to this fact—that the Bill had been brought in for the purpose of putting down corrupt practices. There were many persons in the country, of various shades of political opinion, who, to his knowledge, were honestly trying to purify the constituencies. It would be a matter of regret to them to find that so many attempts were made to reduce the penalties provided in the Bill. One portion of the Bill already appeared to be framed directly in the interests of candidates and Members of the House, inasmuch as it placed a limit upon the expenses at elections; and now, whenever any proposal was made for the purpose of inflicting disqualification on the candidate on account of electoral corruption, they found that Amendment after Amendment appeared on the Paper proposing to make the Bill still more in the interest of the candidate. The Amendment of the hon. and learned Member for Chatham would make the law even milder than it was at the present moment; and, that being so, he agreed with the right hon. Member for the University of Cambridge (Mr. Raikes) in saying that it would be far better to withdraw the Bill than to adopt the hon. and learned Member's proposal.

MR. H. H. FOWLER said, he was quite as anxious to put down corrupt practices at elections as any Member in that House. His hon. Friend who had just sat down did as several other hon. Gentlemen had done in the course of these discussions—he had begged the question. He assumed the existence of a state of general corruption in the constituencies, and then went on to argue that they were bound to provide facilities for the escape of the candidate. But that was just what he (Mr. H. H. Fowler) would not do. He said if there were corruption of any kind let it be punished severely in the case both of the agent and the candidate. If the Committee would refer to the earlier part of the clause they would find they had already agreed that a candidate found on Election Petition to be guilty by his agents of corrupt practices should lose his seat, and not be capable of sitting for the borough or county during seven years after the date of his election. That was the point they had arrived at. But the Committee must bear in mind that in this Bill they had very much enlarged the definition of corrupt practices. Under the old law corrupt practices were practically confined to bribery, treating, undue influence, and personation. But this Bill made the following additional offences corrupt practices which were not so before:—Paying for the conveyance of electors to or from the poll, whether for the hire of horses or carriages, or for railway fares, or otherwise; payment to an elector on account of the use of any house, land, building, or premises for the exhibition of any address, bill, notice, flag, or banner, or on account of the exhibition of any address, bill, notice, flag, or banner; also payment on account of any committee-room in excess of the number allowed by the 1st Schedule of this Act. He did not object to any of these being treated as corrupt practices, and he did not object to the candidate who committed them being punished for so doing. But this clause dealt with offences committed by agents of the candidate who, for the purpose of this argument, they might assume acted without his knowledge or consent. He thought the Attorney General had most wisely refused to accept any Amendment in the direction of defining the Law of Agency, inasmuch as it was totally impracticable to do so; but they were now endeavouring to ascertain whether any injustice was involved in the application of the Law of Agency which they ought to try to remedy. It was no argument to say they were trying to extend bribery and corruption. They were trying to deal with existing injustice; and he would invite the attention of the Committee to a statement of one of the most experienced Judges on the Bench upon this very question. Lord Bramwell, in the evidence which he gave before the Committee appointed to inquire into this subject, said, in answer to the question whether he considered the election law harsh upon a candidate—"It is very harsh." He went on to say, in answer to the question as to whether the mitigation of the Law of Agency would let in a worse evil, that there was one thing which he had always thought ought to be done—it was not exactly the alteration of the Law of Agency, but the alteration of the law with respect to what followed on the act of agency—he thought that it would be a good alteration to provide that where there had been bribery or treating by an agent, and the Judge was satisfied that the Member was not a party to the act, and was also satisfied, affirmatively, that the election had not been effected by bribery generally, that the Judge should have a discretion in the matter of unseating a Member. The learned Judge went on to describe a case in which he had been compelled to unseat a Member, because a foolish fellow had given a small sum of money to a voter; and he added that if he had been satisfied that that was the only case of bribery he should have been glad to keep the Member in his seat. In answer to the question as to whether he would be satisfied with an affirmative proof that the election had not been influenced by bribery, Lord Bramwell said—"Yes; mere negatives can hardly prove it." He (Mr. H. H. Fowler) pointed out to the Committee that if the learned Judge had had the discretionary power which the Amendment proposed to confer upon the Court, the Bristol Election would not have been voided, and these complaints with regard to the interpretation of the law by the Judges would not have occurred. Mr. Justice Keating had also said that very frequently cases of hardship arose under the existing law; and he pointed out that in the only case in which he had had experience he found himself bound to unseat a gentleman under what he considered very trivial circumstances, the act of bribery in question having been committed, not by the candidate himself, but by one of his agents. The evidence of Lord Chief Justice Morris, given before the Committee, was also to the same effect. Thus they had three eminent Judges—Lord Bramwell, Mr. Justice Keating, and Lord Chief Justice Morris—all admitting that there had been grievous cases of hardship, and all contending that by giving the Judge a certain discretionary power an evil would be remedied. The Attorney General had practically admitted this principle, because in the 17th clause of this Bill power was given to the High Court, or to an Election Court, to except certain innocent acts committed from being illegal practice. Now, the Solicitor General had laid down the principle that in dealing with offences of this description they must reverse the ordinary rule of English law. He (Mr. H. H. Fowler) understood the ordinary rule of English law to be that it was better that 20 guilty persons should escape than that one innocent person should suffer; but this rule they were now asked to reverse. He said that it was a less evil to give the Judge power to deal with a case on its merits, than it would be to enact an inflexible law to comple him to unseat a candidate under the circumstances described in the Amendment. But he objected to imposing upon the Judges the task of deciding the question of the character and importance of the corrupt practice. The Amendment had been objected to by the Attorney General on three grounds. First, because he said it would be the removal of a check on the agent. The Attorney General had drawn a picture of an anxious agent on the point of committing an act of bribery, and who, suddenly recollecting that it would imperil the candidate's seat, abstained from doing it. There might be agents of this description to be met with; but he (Mr. H. H. Fowler) did not know where they were to be found on polling days. He knew of a case in which a candidate for a seat in that House was winning by a large majority. The result of the election was a matter of certainty; but the excitement was so great that a friend of the candidate, anxious to swell the poll, generously gave two cabmen an extra 2*s.* 6*d.* each beyond their fares in order to vote for him. The next morning he came and confessed his sin and expressed his regret at what had been done. In this case there was no Petition; and the successful candidate was now a Member of that House. Their desire was to meet cases of that kind. They wanted to reach men, who behind the candidate's back, without his knowledge, rendered him liable to the penalties of the Act, by paying, perhaps, for a glass of wine in order to obtain a vote. The Attorney General had objected, in the second place, to imposing upon the Judges the task of deciding the question as to the character and importance of the corrupt practice. No doubt, it was a difficult and delicate matter; but they had intrusted to them the office of determining what constituted agency, and he said if they could trust the Judges at all, they could trust them altogether. But his Amendment dealt with acts of trivial importance only. The third objection of the Attorney General was that the Proviso would necessitate a scrutiny. But he could not see how the necessity for a scrutiny could arise. The object he had in view was that a candidate should not be unseated for what were really small matters. He asked that the Judge, applying his common sense to the business, should be enabled to say—"These are trivial acts—acts of trivial importance—and do not affect the result of the election."

The Solicitor General's case against the proposal was that it would leave a mass of undetected electoral corruption behind it; he said in the Sandwich case only sufficient was proved before the Judges to unseat the Member, and he put it to the Committee that if the Proviso were law the Member for Sandwich would have remained seated, and the terrible corruption which had taken place would not have been detected. [The SOLICITOR GENERAL (Sir Farrer Herschell): I said that with regard to bribery.] But he would call the attention of the Committee to the statement of the Judge who decided the case. Mr. Justice Manisty said—

> "I am sorry to say that, in the present case, the election was conducted upon such corrupt principles that it is difficult to approach the consideration of the evidence on any particular point without being unduly biassed by that fact."

That was a case of an election being conducted in such a corrupt manner as substantially to interfere with the purity of election, and the Judges found the evidence of corruption so strong that they reported to the House that "corrupt practices had extensively prevailed." They had two possibilities. They had the possibility, if they granted Judges a discretion, that some act of bribery might be committed which ought to be punished, but which would escape the punishment which ought to be meted out to it; the other possibility was, that a perfectly innocent, upright, and honourable man, who had endeavoured to conduct his election on pure principles, and who had complied with all the requirements of the Act, by some foolish act of his agent, not confined to bribery, might meet with punishment under the section. He admitted that there might be great reason for this punishment falling upon the candidate if it were confined to bribery; but it seemed to him that, for some foolish act of treating, or for some piece of eccentricity on the part of an agent on an election day, it would be unfair to make the candidate lose his seat in the House and be disqualified from representing that constituency for seven years. All the arguments that the corruption might be done in the interest of the candidate did not apply, as things of this kind would not become generally known, and therefore would not be of any practical utility to the candidate. Let them try to do what was right and just; and while they upheld and maintained, and, if they liked, extended and strengthened, the stringency of the law against real bribery and corruption, do not let them, on small matters and by indirect methods, render candidates liable for acts, the consequences of which struck the public mind as being so notoriously unjust as to create sympathy for the offence they were desiring to redress, and in that way do more public harm than good.

SIR R. ASSHETON CROSS said, he did not intend to go over the ground which had been so well trodden by the hon. Gentleman who had just sat down. He agreed with every word the hon. Member had said, and he rose only for the purpose of endeavouring to facilitate the proceedings of the Committee. They were now discussing the Amendment of the hon. and learned Gentleman the Member for Chatham (Mr. Gorst). When the hon. and learned Member introduced his Amendment, he said, fairly and frankly, that if it were the wish of the Committee to discuss any other Amendment rather than his own, he would gladly give way, in order that such an Amendment might be brought forward. He (Sir R. Assheton Cross) believed there was a general wish throughout the Committee that they should discuss the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler); and he could not help thinking, therefore, that it would save a great deal of time if they took the division upon the Amendment of that hon. Member. He would remind the House of the speech of the hon. Member for Hereford (Mr. Reid), which was an extremely able speech, although he (Sir R. Assheton Cross) differed from it. It was in a great part spent in criticizing an Amendment they were not going to vote on. Well, it would simplify the proceedings if they were allowed to take the Amendment of the hon. Member for Wolverhampton in the first instance. He could not sit down without saying how sorry he had been to hear the speech of his right hon. Friend the Member for the University of Cambridge (Mr. Raikes), whom he regretted to find was not in his place. He could not help thinking that the right hon. Gentleman felt that he would not be affected by all these threats which were hanging over these candidates of whom the Committee had been speaking. No doubt, from the right hon. Gentleman's high-up atmosphere, he felt himself safe; but, whether this was so or not, the Committee had better discuss this matter amongst themselves. In saying this, it must always be understood that he never neglected to pay all due deference to observations which fell from his right hon. Friend. One sentence had fallen from the hon. Member for Wolverhampton (Mr. H. H. Fowler) that the Committee ought to pay some attention to. The hon. and learned Gentleman the Attorney General, very wisely, no doubt, had drawn a great distinction in the 3rd clause of the Bill between bribery and personation and other corrupt practices. It was impossible to put them on the same footing; and though he agreed that there was great danger of a candidate being made responsible for the acts of his subordinate agents in the case of bribery, this danger did not exist with regard to the other offences which were on a totally different footing. But the case had become harder now that the Attorney General had introduced the old offence of treating, and put it on the same footing as bribery; and this he threw out as worthy the attention of the Government. He trusted the Government would give way on this question, and would amend the Bill so as to save innocent candidates from the acts of utterly irresponsible agents in trifling matters—acts which would have no effect on the general conduct of an election. He hoped that the hon. and learned Member for Chatham (Mr. Gorst) would withdraw his Amendment on the understanding that the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler) would be taken, and not that of the hon. and learned Gentleman the Member for Plymouth (Mr. E. Clarke) or any other Member.

Mr. STAVELEY HILL said, as his hon. and learned Friend did not propose to withdraw the Amendment, he would give a reason why he, for one, could not consent to support it. It divided itself into two heads. There was, first, that part of the Amendment dealing with disqualification, and he might put it plainly in this way. The hon. and learned Member for Chatham would say—"I would have a different Law of Agency for the purpose of disqualification from that which I would have for the purpose of having an election declared void." He (Mr. Staveley Hill) could not see where that distinction could possibly arise. He quite agreed that the punishments under this Bill were rightly severe; but he could not, for the life of him, see that if the agency was to be such an agency as would cause the election to be declared void, they could make it an agency which was not to be considered an agency for the purpose of disqualifying the candidate. Upon that point he must entirely dissent from the Amendment proposed by his hon. and learned Friend. When they came to the second part of the Amendment, it was this—the hon. and learned Member went on to say that, under certain circumstances, if there was a certain amount of corruption proved, the Judge was not to declare the election void. On that part of the Amendment he should quite go with the hon. and learned Member; but he should prefer to adopt the words put before the Committee in the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler), who gave power to the Judge not to declare the election void, or heap penalties on the candidate, if it should be found that the bribery and corruption, or illegal practice, whatever it was, was of a trivial character. He would prefer not to support the Amendment of the hon. and learned Member for Chatham as it stood; but he would be prepared to vote for the second part of it when it came before them.

The ATTORNEY GENERAL (Sir Henry James) said, he would join in the appeal of the right hon. Gentleman opposite (Sir R. Assheton Cross) to his hon. and learned Friend (Mr. Gorst) to withdraw his Amendment. The proposal to be brought forward by the hon. Member for Wolverhampton (Mr. H. H. Fowler) raised the question in a manner which would be much more acceptable to the Committee. Hon. Members could reserve what they wished to say until they came to that Amendment, when they would be able to have the discussion upon an issue which would be more acceptable.

Mr. GORST said, he was not generally very anxious to act on the advice he received from the two Front Opposition

Benches, particularly when he found there was a consensus of opinion between those two Benches, because that rendered him very suspicious. This was a matter in the hands of the Committee itself, and any Member who objected to the withdrawal of his Amendment could do so and stop its withdrawal. At the present moment he (Mr. Gorst) was anxious to accede to the proposal made by the two Front Benches, and to withdraw the Amendment. The reason why he had not proposed himself to do it at an earlier period was that he had thought it better to wait until the Committee saw what the Government intended to do. He should have been happy to withdraw the Amendment, if the Government had given any indication that, although they could not accept his Amendment, they would be willing to look favourably upon one lower down on the Paper. He did not quite see how, under these circumstances, when neither the Committee nor the Government seemed to have made up their minds how they would deal with the question, anything in particular was to be gained by withdrawing one Amendment in order to enable another to come under discussion. As, however, many hon. Members thought it would be well to proceed with the discussion of the Amendment of the hon. Member for Wolverhampton, he would withdraw his proposal at once.

Amendment, by leave, *withdrawn.*

Mr. JOSEPH COWEN said, there was a pretty general opinion in the Committee that the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler) best represented the alteration it would be advisable to make in the Bill. He (Mr. J. Cowen) wished to say——

The CHAIRMAN: Order! I must call upon the Members whose names are upon the Paper to move their Amendments.

Mr. JOSEPH COWEN said, he wished to speak to the question of Order before these Amendments were withdrawn.

The CHAIRMAN called upon Mr. Lewis.

Mr. LEWIS said, he was willing to take any course which was thought most desirable in order to get to the gist of the matter, and to secure some settlement of this important question on a satisfactory basis. He would *pro formâ* move his Amendment, leaving it entirely in the hands of the Committee, and merely observing that he should be ready to withdraw it at a moment's notice whenever it was thought desirable to go on with the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler). His proposal was to add, at the end of line 29, the words—

> "Provided always that if the Election Court shall in such report state—First, That in its opinion the corrupt practices committed were of inconsiderable extent and importance, and were so committed by an agent or agents of the candidate without his knowledge or assent and against instructions bonâ fide given by such candidate; Secondly, That the general conduct of the election by such candidate was free from illegality and corrupt practices; and Thirdly, That there was no evidence to show that the result of the election had been substantially affected or changed by corrupt practices committed, then and in such case no disqualification of the candidate shall follow upon such report or finding of the Election Court beyond that of his election being declared void."

He desired to say just a few words about this Amendment. There was a slight difference between his Amendment and all the Amendments of a similar character on the Paper, because he did not propose to allow the candidate to remain in possession of his seat even though he were acquitted of any personal delinquency in reference to the corrupt practices technically found against him. It seemed to him that candidates must so far be prepared to stand or fall by the doings of persons who acted with them, and whose actions might or might not have contributed in a material degree to the results of an election. Beyond that it did not seem to him that there was a substantial difference between his Amendment and the tenour of all the other Amendments on the Paper. He should abstain from making any general observations on this question until the debate was more advanced; and perhaps, on the whole, he should be meeting the views of most Members of the Committee if he were to abstain from moving his Amendment even *pro formâ*. It was quite in the power of the hon. Member for Wolverhampton, or any other hon. Member, when his Amendment was launched to have it amended in such a way as to meet either the view of such individual Member, or the general view of the Committee. He would only say that he believed it was a matter of essential justice that such an Amendment as that which he proposed should be added to the Bill. He would not move his Amendment *pro formâ*, but allow it to pass by, as he did not wish it to be thought that this subject was being dealt with in any way in a Party manner.

MR. EDWARD CLARKE said, he had on the Paper an Amendment to add these words—

"Unless the said election court shall further report, first, that the corrupt practices found to have been committed were committed by a person or persons other than the election agent, and without the knowledge, consent, or connivance of the candidate, and against instructions given in good faith by him; secondly, that the candidate took all reasonable means for preventing the commission of corrupt practices; and, thirdly, that the court are satisfied that the result of the election had not been substantially affected by any corrupt practices, in which case the candidate shall not be disqualified as hereinbefore provided, and the election shall not be void."

He did not intend to insist upon this Amendment. So far as he was concerned, he should be content to accept the discussion on the proposal of the hon. Member for Wolverhampton (Mr. H. H. Fowler). He, however, should just like to say that he understood from the suggestion of the Attorney General just now, that the division would be taken on the Amendment of the hon. Member for Wolverhampton, because it appeared to him to be the least objectionable, or most acceptable, of the Amendments on the Paper. He (Mr. E. Clarke) only wanted to make the matter clear. They had five Amendments on the Paper which differed in language. He was bound to say that he had carefully drawn the Amendment he had on the Paper, and that he should not at all like to withdraw it if he were to find after he had done so that the Amendment of the hon. Member for Wolverhampton was objected to on the ground of some imperfection or difficulty which was obviated in his (Mr. Clarke's). He did not propose to move his Amendment; but would merely say that he understood from the language of the Attorney General that, at all events, he recognized that the form in which the hon. Member for Wolverhampton had put his proposal was the form which would be acceptable, if any form at all were.

MR. MACFARLANE rose to address the Committee.

THE CHAIRMAN rose to Order, pointing out that there was no Question before the Committee.

MR. H. H. FOWLER said, he would now propose the Amendment which he had placed upon the Paper, and which hon. Members seemed desirous of taking the debate upon, in preference to others which went before it. His Amendment was to add, at the end of line 29, the following words:—

"Provided always, That if the election court shall in such report state—(1). That such candidate and his election agent took all reasonable means for preventing the commission of corrupt or illegal practices, and that it had been proved to the satisfaction of the court that no corrupt or illegal practices had been committed with the knowledge or consent of such candidate or his election agent; (2). That the corrupt practices of which such candidate is reported to have been guilty by agents (other than his election agent) were of a trivial character, and did not affect the result of the election; then the election shall not be void."

He moved this Amendment merely formally, because he still entertained the hope, from what he had been able to gather from the drift of the opinion of the Committee, that it might be possible to come to some compromise by leaving the stringency of the law untouched as to bribery, and make the alterations in it as to corrupt practices such as treating. If in the debate it should appear to be the general view of the Committee that his Amendment should be withdrawn, he should be ready to modify his proposal. At present, he would move his Amendment to raise the question they wished to discuss.

Amendment proposed,

At the end of the Clause, to add the words,—"Provided always, That if the election court shall in such report state—(1). That such candidate and his election agent took all reasonable means for preventing the commission of corrupt or illegal practices, and that it had been proved to the satisfaction of the court that no corrupt or illegal practices had been committed with the knowledge or consent of such candidate or his election agent;

(2). That the corrupt practices of which such candidate is reported to have been guilty by agents (other than his election agent) were of a trivial character, and did not affect the result of the election; then the election shall not be void."—(*Mr. Henry H. Fowler.*)

Question proposed, "That those words be there added."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that last night the view had been taken by many hon. Members that cases might arise where bribery of an extensive kind might exist without being capable of proof, and the Committee therefore were afraid that there would be great danger in accepting this Amendment. On the other hand, there was, no doubt, a feeling amongst a great many hon. Members that if some modification was not made in the clause there would be a difficulty in distinguishing between that which was merely an innocent act of hospitality and that which was corrupt treating. He (the Attorney General) was not egotistical enough to think that anything he said last night would be remembered to-day; but if what he had said should be in the recollection of hon. Members they would know that what he had said affected the case of bribery more than that of treating. He had pointed out that bribery could take place in secret more than treating, and corruption of that kind; and the question was whether, if they adopted the suggestions of the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) and the hon. Member for Wolverhampton (Mr. H. H. Fowler), and drew a new distinction between bribery and treating, they would not be running the risk he had put before the Committee. If he thought that by accepting the suggestion of the hon. Member for Wolverhampton, and giving a small relaxation, that there would be no danger so far as the interest of the constituencies were concerned, he should be inclined to accept it, and he did not think that there would be any risk incurred in the matter of guarding the interest of the constituencies if they took the view that it would be safe to leave out exceptional and trivial acts of treating. In his experience, treating never vitiated an election unless it was proved to have been carried on to a very considerable extent; in fact, it could not have such an effect unless it had been carried on to such an extent as to be altogether beyond the word "trivial," or some similar phrase There was another reason, as he had said, why there was a difference between treating and bribery, and that was that treating could not be carried on in secret as in the case of bribery. Treating mostly took place in public-houses where there were a great many observers. The offence was clear. It might be of a very trivial character, and might be unintentional in its corruption; but that could never be said of bribery. Therefore, he thought treating and undue influence might be left to themselves, and bribery might stand alone. He felt that the Government were justified in taking the middle course by accepting this Amendment, if it were confined in a manner to be hereafter pointed out. He did hope that hon. Members who had so loyally supported this Bill and supported the Government would not hold that in this matter he was making a surrender. If any hon. Members said such a thing, he should reply that if he thought what he was now proposing was really a surrender he would not for a moment consent to it, but would adhere to the clause as it stood. If his view was accepted, he would appeal to the Committee to let the matter be settled at once. Those who dissented from him no doubt felt it their duty to do so; but he trusted that from them he would get the credit, at any rate, of having been actuated in the course he was adopting by a desire to facilitate the progress of the Bill. If the Amendment were to stand as at present moved, he would ask the Committee not to assent to it; but he thought its wording might be so improved as to render it acceptable. He would therefore ask the hon. Member for Wolverhampton, if that were the view of the Committee, to withdraw the Amendment for the present. If such a a modification as this were made, it seemed to him that it ought to be done on the responsibility of the Government. He would wish to bring up a new clause upon this subject, and would undertake to put it on the Paper in good time, so that it might be duly considered. To discuss the Amendment that he would propose would, as there were so many opinions to be expressed on the subject, lead to a large consumption of time. Everyone was agreed that this was a matter of great perplexity, and required grave consideration. He had no doubt that, with the assistance of the hon. Member for Wolverhampton in drawing up the clause, they might be able to frame a provision in the sense of the present Amendment. In conclusion, he would again appeal to his hon. Friends who were anxious to get rid of all corruption not to believe that in this matter he was making a surrender.

Mr. GORST said, it was very clear that during the last few minutes a little comedy had been played. He now understood the reason why the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) and the hon. and learned Gentleman the Attorney General were so anxious that his (Mr. Gorst's) Amendment should be withdrawn. It had been to make way for this little comedy, which he had no doubt had been thoroughly arranged between the two Front Benches.

The ATTORNEY GENERAL (Sir Henry James): I am sure my hon. and learned Friend would not wish to misrepresent us. I can assure him that no communication of any kind has taken place between the two Front Benches on this subject.

Mr. GORST said, he at once accepted the assurance of the hon. and learned Gentleman the Attorney General, and probably what had taken place had been only a kind of thought-reading which showed the sympathy existing between the Front Benches on both sides of the House. The Committee now saw the extent to which the Government were willing to make concession; and, for his part, he could not conceive why they had not stated all this last night. It appeared that though the Government would not allow this principle to be applied to the case of bribery, they would allow it to be applied to the case of undue influence and treating. The course taken by the Government had the rare merit of not receding on any principle whatever, because, as he (Mr. Gorst) had pointed out yesterday, in many respects treating and undue influence were just as disgraceful as bribery itself. Indeed, there were many kinds of bribery which could hardly be called so corrupt, as giving a man half-a-crown to vote against his conscience. To bribe a man with half-a-crown was a very heinous and corrupt thing to do; but the term "bribery" included such a thing as paying a man's railway fare to the place of polling for the purpose of obtaining his vote, and anything of that kind, which, although it might not in itself be corrupt, was extremely reprehensible. In many cases, treating and undue influence might be much more reprehensible than such a thing as that. However, in legislation he always went on the maximum that half-a-loaf was better than no bread; and, on the whole, he thought it would be better to accept that which the Government offered than to endeavour to get a great deal more, which probably they would be unsuccessful in obtaining, whilst jeopardizing that which had been proffered. He had always maintained that in dealing with this subject they should not, for the convenience of their election law, depart from the true principles of justice. In supporting the Amendment of the hon. Member for Wolverhampton he was actuated by the belief that it was based upon the principles of justice; and his point was, that if they could not get complete justice, at any rate let them have half justice when it was offered. Therefore, so far as he was concerned, he should accept the proposal of the Government; although, at the same time, he did not wish to withdraw a word he had said, and although he was still of opinion that justice required that there should be the kind of amendment of the electoral law which had been so strenuously advocated by the Solicitor General (Sir Farrer Herschell) when he was in Opposition. He always observed that Members in the House of Commons when in Opposition held far healthier opinions than when they were in Office, or when they had been in Office. In this respect he (Mr. Gorst) was uncorrupted either by the possession of Office, or by the memories of Office, and he therefore still adhered to the principles of justice. Though he still stood out for a full measure of that which the hon. Member for Wolverhampton proposed, he would concur with him and others in accepting the compromise, and taking from the Government what they could get.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he wished to say a word or two on this question, as he was extremely desirous that the view of the Government in the suggestion that had been made should not be misrepresented. Nothing could be further from their thoughts than to suggest that there was any distinction in point of law or propriety, or anything else, between real acts of bribery and real acts of treating. They objected as strenuously to the one as to the other, and they thought that one should be dealt with as severely and as firmly as the other. He would point out to his hon. and learned Friend (Mr. Gorst) that the reason this distinction in principle was made between the two offences in the particular Amendment before the Committee was because everybody who had taken part in the discussion was agreed that if they could safely, and without danger to the constituency of corruption, provide that in cases which were really trivial and unimportant, and where there could be no doubt the Member elected was the free choice of the constituency, it would be desirable that the candidate should retain his seat. It was agreed that the candidate should not be unseated in consequence of some act of folly committed by some insignificant personage or other who came within the definition of agency. It would be desirable, where it could be safely done, that they should refrain from inflicting upon such a candidate a heavy punishment. He did not recede from the position he had taken up in 1865; but it was desirable to take a course of this kind in the interest of the candidate, and, still more, of the constituency. What he had pointed out last night was this—that the more he reflected on this subject the more danger he saw in giving any kind of mitigation of the present law in cases of bribery, for the reason that he believed bribery might exist to a considerable extent, although the Judge on an Election Petition might find the election to be a pure one, and that there had only been trivial instances of corruption. From this point of view he objected strongly to these Amendments. Everyone must agree that it would be a disastrous thing that a Judge should find an election pure, and unseat a candidate on the ground that the amount of corruption had been trivial, when, in reality, corruption had prevailed to an enormous extent. He did not believe that treating could go on to such an extent as to be equal in gravity to bribery—he did not expect it would go beyond a trivial glass here or a glass there; and although it might be safe to give the Judge a wider discretion in cases of this kind, it did not seem to him possible to give the same discretion in cases of bribery. It was in that view that a distinction was made between the two. Though they thought discretion could not be left with the Judge in the case of bribery, they thought he might safely be intrusted with discretion in the case of these minor offences. Do not let it be supposed that they agreed to this distinction because they considered treating less an offence than bribery. It was because they believed that the Judge would be better able really and truly to say whether treating at an election was trivial, and the election, therefore, substantially pure, than he would in the case of bribery, which was less easily detected. The Government might be wrong in that view; but he made these observations in order to show the principle on which they were acting.

MR. MACFARLANE said, he was not going to quarrel with the Government for their complete change of mind which had taken place since yesterday. He was satisfied that the change had taken place. The Committee had made a selection of the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler), and he thought they had made it very wisely. He probably would not be in Order in doing so; but he should like, with the indulgence of the Committee, to read an Amendment he had proposed himself to move to this part of the Bill. The Amendment he should have proposed—which he found, on looking at the Amendments on the Paper this morning, would take up an entirely different ground to that of any other—would have been this—

> "That every candidate shall, on his nomination, publish a list of his committee agents, special agents, and others authorised to act for him, and no candidate shall be mulcted in any penalty for corrupt practices committed by any person other than those so specified"—

[*Laughter*]—perhaps hon. Gentlemen would allow him to finish—

> "unless complicity or connivance given"—

THE CHAIRMAN: Does the hon. Member propose to amend the Amendment now before the Committee?

MR. MACFARLANE: No, Sir.

THE CHAIRMAN: Then the hon. Member would not be in Order in proposing this Amendment.

MR. EDWARD CLARKE said, he did not know what course the hon. Member for Wolverhampton would take as to this Amendment; but probably the Government would have their way in reserving this question for further consideration, and bringing up the form of clause they themselves proposed. Before the Committee dealt with the Amendment of the hon. Member for Wolverhampton, he (Mr. Clarke) should like to make an observation or two to which he would call the attention of the Law Officers of the Crown when they were considering the clause they were going to propose. Though the concession the Government had made was welcome to them, such a concession in a matter in which a great many of them felt a great deal of hardship had been done went a very little way. The Committee would remember the three cases that had been pressed on their attention—cases in which the Judges had complained of the hardships of the law, in consequence of which they found themselves compelled to administer heavy punishments. He alluded not to cases of treating or undue influence, but to cases of bribery. Baron Bramwell had very much regretted the necessity of unseating Mr. Robinson for Bristol, and there was not one who understood the facts of the case who did not feel that a great act of injustice had been done so far as Mr. Robinson was concerned. In that case it was a matter of bribery. It was a case in which a man had received material profit by voting for a certain candidate. Then there was another case—the Norwich case—which was also one of bribery, and in regard to which Sir Henry Keating had spoken. He placed these facts before the Committee because they were seeking to modify the law at a time when they were extending liabilities and penalties. They must remember that while they were extending these penalties they were, by limiting the number of persons who might be employed as avowed and paid agents, placing the candidate more at the mercy of volunteers. They were, in fact, increasing the danger and liability of candidates at the same time. They were increasing the severity of the punishment. The Judges had complained that they had to administer a hard law as the law now existed, and in addition to the opinion of Lord Bramwell there were the opinions of Mr. Justice Lush and Mr. Justice Manisty to be considered. In 1880 the words he was about to quote were spoken in a Judgment on an Election Petition by the late Lord Justice Lush, whose experience on this matter, and whose calm judicial character was one which no one could dispute. In giving Judgment in the case of the borough which he (Mr. E. Clarke) now represented—and it was owing to the reluctant Judgment then given that he had an opportunity of sitting in this House—Lord Justice Lush said that—

> "He was constrained to hold, and he did so with great regret, that Stibbs by this act had rendered the seat untenable. He had never unseated an innocent Member for the acts of his agent without feeling that the law which had punished both the Member and the constituency for a single illegal act of the kind was unduly severe. That feeling was intensified by the consideration that the act of bribery here was of the most venial description."

He went on to say that—

> "The election had been conducted in every respect with the greatest propriety and adherence to the law, and that neither Mr. Woolferstan nor Mr. Stibbs had contemplated that the bringing of the trawlers to the poll was an illegal act."

Mr. Justice Manisty, in giving Judgment, stated that—

> "So far as Sir Edward Bates himself was concerned the election had been conducted fairly and honourably and in strict accordance with the law, and that with the single exception of the arrangement made by Mr. Robert William Stibbs with the trawlers of Penzance, he was of opinion that the Petition had wholly and entirely failed."

All those Judges had complained of the severity of the law they had to administer; and not only had they complained of it, but they had said they had desired, if they could, to escape from the necessity of putting it in force not in cases of treating and undue influence, but in cases of bribery. It had been said by the Attorney General last night, that in the case he referred to the Judges could not say that the election had not been conducted by corrupt practices. He (Mr. E. Clarke) quite agreed that a Judge ought not to unseat a Member because he did not find that the election was determined by corrupt practices proved in Court. But let him point out that where evidence was given of the smallest act of bribery, if the Amendment of his hon. Friend were accepted, the onus of proof would be shifted, and it would fall upon the candidate, or his agents, to satisfy the Judge affirmatively that the election had been properly conducted. The hon. and learned Gentleman asked, last night, how could the Judge find this? He (Mr. E. Clarke) would reply to that by a practical answer, showing how it was done. The Judge might have had in the witness-box the candidate—the man petitioned against

—and his election agent. He would call the attention of the Attorney General, and still more of the hon. Member for Hereford (Mr. Reid), to this—that these persons might be there, not for the purpose of clearing themselves from personal complicity before the attack had succeeded against them, and the event was a certainty, but for the purpose of satisfying the Judges by their evidence that the election had been properly conducted. He knew three cases in which, directly the Judges said the Petition had succeeded, the person petitioned against went into the box and gave evidence and was not cross-examined, and went into the box because he knew he was not going to be cross-examined. In other cases with which he was acquainted, communications had taken place between the counsel defending the seat and the counsel attacking it, the counsel for the Petitioner being asked not to prove cases which would bring home personal guilt to the Member, but to be satisfied with first proving cases affecting an agent, so that the seat might be surrendered and the candidate's honour saved. The course of not cross-examining the respondent was taken in one case, at all events, under the sanction of the Judges who were trying the Petition, because, they said, that directly the defendants had abandoned their answer to the Petition the duty of the counsel for the Petition was at an end. Let him pointout the enormous difference there was between that and coming into the witness-box to face cross-examination. If the candidate and his agent were obliged to go into the witness-box for the purpose of saving a seat and exposing themselves to cross-examination, he would undertake to say they would go away from the witness-box very sorry that they had ever gone into it. It was all very well to say that the candidate was kept in ignorance; but there was a good deal to be ascertained in the course of the conduct of an Election Petition, and those familiar with these matters knew well enough that one great reason why personal charges were made was with the desire of forcing the Member into the witness-box—and not only forcing him, for that was not the important thing and would not be sufficient, but the election agent as well. The great merit and virtue of the proposal of the hon. Member for Wolverhampton (Mr. H. H. Fowler), which was an object he (Mr. E. Clarke) had also attempted to achieve, was that the agent himself should come into the witness-box and expose himself to cross-examination. He wished to put before the Committee that they were asked to legislate so as to provide that where the act of bribery had been without the knowledge of the candidate or his agent, and where both of them had taken all the pains that in the judgment of the Judge was reasonable to conduct the election in a pure manner, and where the Judge was satisfied that there had been no connivance on the part of either of them at bribery, that the election had been conducted purely, and that the act of bribery was a trivial one on the part of some insignificent individual without the concurrence of the Member or his agent, the candidate should not lose his seat. He contended that, according to all the elementary rules of justice, a man was entitled to his seat under such circumstances. His right hon. Friend the Member for the University of Cambridge (Mr. Raikes) had spoken about Caucuses and Associations outside who interfered in election matters. He (Mr. E. Clarke) did not think that question need come into consideration at this point at all; he was not nervous about the action of such bodies, because he considered that if Associations stepped beyond their province and used their powers for an evil purpose, they might be dealt with in other ways. Certainly, if a Judge saw that side by side with the pure and careful action of the candidate and his agent there was a reckless and corrupt action of a *quasi*-independent body or association, the Judge could only report that the election had not been won by corrupt influences; and in that case these rules would never come into play at all. The Attorney General (Sir Henry James) said, yesterday, that they could not tell that one act of bribery did not affect the result of an election, because it might be an act of a class. The Judge would be perfectly capable of dealing with such a matter, and if he found one man was proved to have bribed two or three persons he would probably come to the conclusion that that man in the course of his canvass had practised bribery pretty largely. That was a matter the Judge was quite competent to deal with.

The great mischief they were face to face with now was the increasing liability of a candidate for the acts of unauthorized agents, and the increasing penalties imposed on a man who had done his utmost to have a pure election. In consequence of what was now being done, men of honour and position would refuse to accept the dangerous responsibility of becoming candidates for seats in the House of Commons; and in his (Mr. E. Clarke's) opinion it would be the greatest possible disaster that could happen to the dignity of the House and of the country, if they brought the law into such a condition that the only men who would risk the responsibilities and dangers of an election contest were men who had attached themselves by profession or self-interest to the fortunes of a particular Party, and who had become the instruments of a political organization. It was the wealthy and successful manufacturer, it was the country gentleman of good society and old lineage, it was the professional man of good standing who was interested in having a seat in the House of Commons, and he (Mr. E. Clarke) hoped that such men would still be able to find their way to the House. If the door of the House were practically shut to such men, and open to professional politicians, far greater mischief would be done to the House of Commons and the country than good would be done by putting down corrupt practices.

Mr. W. FOWLER said, he felt some difficulty in understanding exactly where they were. They were asked to treat corrupt treating in one way, and bribery in another. He was a good deal puzzled to find how the principle was to be applied, because it appeared to him that in some boroughs treating was a very dangerous practice, far more dangerous even than bribery. The Attorney General would find, when he came to draw his clause, that he was endeavouring to make a distinction which would give him a great deal of trouble. They seemed to be really arguing the question in the air because he understood the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler) was to be withdrawn. ["No!"] If the Amendment was not be to withdrawn, they could, of course, discuss the question fully; but he certainly understood it was the general feeling of the Committee that the Amendment should be withdrawn. ["No!"] In that case the whole aspect of the thing was changed. He rose with the object of stating generally his feeling on the matter. He had put on the Paper an Amendment on this subject even stronger in its terms than that of the hon. Member for Wolverhampton or any other Amendment in the same direction. Perhaps it was a rather humiliating confession to have to make, that the more he had thought upon the question the more difficult he had found it to carry out the idea he wished by his Amendment to carry out. He sympathized entirely with the views just expressed by the hon. and learned Gentleman the Member for Plymouth (Mr. E. Clarke). He (Mr. W. Fowler) was not the Member for the University of Cambridge, but for the town of Cambridge; the two positions were very different. The Bill made candidates responsible for the acts of men about whom they cared nothing. In certain cases it must happen that they must either sacrifice the constituency or the candidate. They made a candidate responsible for things he ought not to be responsible for, or they had to hand over a constituency to men who were not afraid of any risks they ran. In every town there were men who would do things at election times that they ought not to do. It was because he did not see his way to checkmate such men except by a law, which, in some cases, would be hard on the candidate, that he had altered the view he entertained when he put the Amendment on the Paper. He knew it was very likely that a man who desired to do his duty would be unseated; but, as he said just now, they had to choose between the candidate and the constituency; and if they had to make that choice they should, in the interest of public morality, make a choice which would hurt themselves rather than one which would hurt the constituencies. The case of trivial treating referred to by the hon. Member for Wolverhampton (Mr. H. H. Fowler) certainly shocked all their ideas of justice; but he (Mr. W. Fowler) had not yet seen words which would satisfactorily meet the difficulty. As at present advised he felt bound, though with some relunctance, to support the clause as it stood.

Mr. CHAPLIN said, he did not understand there was a general impression that the Amendment should be withdrawn, and, as far as he was concerned, he hoped the hon. Member for Wolverhampton would not withdraw the Amendment until they had some more distinct understanding from the Government on the subject. He admitted that the concession which was suggested by the Attorney General was good so far as it went; but, in his opinion, it did not go far enough. No concession and no Amendment whatever would be in the least satisfactory to him which did not extend to bribery, and to treating, and to undue influence. He could not conceive on what ground a distinction was to be made. Why was a candidate to be punished more severely if his agent had been guilty of bribery than if he had been guilty of either of the other two offences? The Solicitor General (Sir Farrer Herschell) said this was so because it might be more safely left to the Judge in the one case than in the other. That was no consolation to an unfortunate candidate, nor did it lessen the hardship or injustice which was inflicted on him. He could not understand why a candidate who was perfectly innocent, and known to be so, should be punished because his agent had been guilty of bribery, while he should go perfectly free if his agent had been guilty of undue influence or other corrupt practice. It seemed to be the height of inconsistency. The Committee would do well to insist, by every means in its power, for some further concession on the part of the Government on this point. If they showed, as they were capable of showing, that the clause went beyond what was necessary, and that it was likely to produce the results which were so ably described by the hon. and learned Gentleman the Member for Plymouth (Mr. E. Clarke), he had no doubt the Government would yield to what he believed to be the general sense of the House on the matter.

MR. JESSE COLLINGS said, it was evident there was a general wish to make the Bill effective for its object. At the beginning of the discussion yesterday on the question of agency there was a very widespread feeling that some definition must be adopted; but as the discussion proceeded hon. Members in all quarters of the House saw the impossibility of defining agency, and ultimately the Committee, by a large majority, fell in with the Government's view. He (Mr. Jesse Collings) considered that this Amendment, if adopted, would tend to destroy the effect of the Bill. The Solicitor General (Sir Farrer Herschell) said the Government wished to make no distinction between bribery and treating, and yet at the same moment he announced the intention of dealing in an altogether different manner with bribery and treating. The hon. and learned Gentleman said that a single glass here and there would be of no consequence. He (Mr. Jesse Collings) quite admitted that in large constituencies a trivial glass here and there might have no connection with a trivial glass in the next street. In the smaller boroughs, however, treating and undue influence were a greater means of demoralization than actual bribery, and it was to safeguard against that that the Attorney General was weakening his Bill. The Amendment of the hon. Member for Londonderry (Mr. Lewis) certainly did provide that an innocent candidate should be enabled to sit again, but not until he had gone through another election. By that Amendment a constituency would be protected. The proposed Amendment, however, protected the candidate, but it failed to protect the constituency. Under the Amendment of the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) a candidate who might have been returned by widespread though isolated intimidation—undue influence and treating—would be able to continue the occupation of the seat. The hon. and learned Gentleman the Member for Plymouth (Mr. E. Clarke) had cited the case of Sir Edward Bates. He had no hesitation in saying that he knew Plymouth, and had much larger connections with Plymouth than the hon. and learned Gentleman who now sat for that constituency. In the case of Sir Edward Bates, the Judge found there had been trivial and isolated acts of undue influence and treating. Those who knew Plymouth knew very well that the whole constituency was, by isolated acts of treating, more demoralized than any constituency in England; and yet, if at the time of the Plymouth Petition the Amendment of his hon. Friend (Mr. H. H. Fowler) had been law, Sir Edward Bates would have been sitting for Plymouth at this moment. If the Attorney General (Sir Henry James) was not very careful in the course he took, he would turn the Bill into a Parliamentary guide for corrupt practices—a guide which would show what to avoid; just what cute Parliamentary election agents wanted. He took it that the Attorney General had not accepted the Amendment, but that he was going to draw up an Amendment to take its place. They must wait to see what that was before they pronounced a judgment upon it; but if it would allow a man who had been elected owing to corrupt practices of any kind, although he himself might have been innocent—if it would allow such a man to sit for the constituency, a gross injustice would be done to the constituency. The hon. and learned Member for Plymouth (Mr. E. Clarke) dwelt largely on what was due to the candidate. They might be sure that the very door they opened to protect a candidate would let in a flood of corruption that ought to vitiate any election. Was that the object some hon. Members had in view? Take the case of a moderate sized borough. The area over which trivial treating spread might be so large that, although perhaps undetected, it would turn the election. A Judge could only deal in the cases which came before him, and they might be few and very trivial in themselves. The main point was that the Amendment now under consideration would allow a man to sit for a constituency in which corrupt practices had prevailed; indeed, the corrupt practices might have been the means of his return. He did not think it would be wise even in the interest of the candidate to accept the Amendment, for although he granted there might be some slight danger of an innocent man being unseated, if they had faith in the Judges that danger was very small. By this Amendment they would give Parliamentary sanction to a certain class of trivial and small treating. Undue influence would spread, and the result would be that the candidate would stand in a far more dangerous position than he would if the strict provisions of the clause remained unaltered. He hoped the Attorney General (Sir Henry James) would be most careful how he interfered with a provision which would make it dangerous to indulge in corrupt practices. The stringent provisions of the Bill would protect a candidate far more effectually than any winking at trivial corruption, and he trusted the Attorney General would not give way in the matter.

Sir STAFFORD NORTHCOTE said, it was very important that at this time they should ascertain the exact position in which they stood. He could not help feeling some apprehension that in consequence of the proceedings of the last half-hour or so there might be some chance of their losing the advantage which they had gained by the discussion on the clause and on the questions arising on the different Amendments during a great part of last night and this morning. It would be a very great misfortune if they were now, after having discussed the matter so far, to put it aside, as it were, into a drawer, and leave it alone—leave it to be taken up hereafter, they knew not when. It seemed to him that the 4th clause of the Bill was intended to apply to cases in which there had been any corrupt practices not by the candidate personally, but by his agent; and it appeared to a great number of hon. Members that in laying down the severe punishment for any corrupt practices that might be committed by the agent of the candidate it was of very great importance that they should take care they should not do any unnecessary injustice to the candidate. It was felt that it would prevent men of character and of honour from becoming candidates if the clause were allowed to stand as it did. The first suggestion that occurred to most hon. Members was that if the candidate was to be placed in the hands of his agent and to be subject to severe punishment on account of any illegal and corrupt proceedings on the part of his agent, there ought to be some clear definition as to who an agent was, so that a candidate might know who the person was into whose power he was going to be placed. Therefore, several Amendments were suggested for the purpose of defining agency; but when those suggestions had been discussed, it was found, as was contended by the Government from the first, and as was evident to the minds of a great many Members, that it was impracticable to settle upon any definition of agency which would be satisfactory. A candidate was to be placed in the power of an agent over whom he would have little or no control, and if there was any serious misconduct on the part of the agent, the candidate must bear the consequences, and the punishments, whatever they be, must fall upon him. But it was pointed out, and it was confirmed by quotations from the decisions of the Judges themselves, that, as the law at present stood, there was great risk of even the most trivial matters producing consequences which some hon. Members considered ought only to flow from serious and sustained misconduct on the part of the agent. A number of hon. Gentlemen, sitting in different parts of the House, put down Amendments for the purpose of meeting the cases of trivial lapses, adopting, as far as they could, the suggestions that arose from the testimony and from the statements of the Judges who had had occasion to deal with the matters. Discussion arose upon some of the Amendments last night. During the discussion of the first class of Amendments — namely, those with regard to the definition of agency, the Government carefully abstained from saying what their view was with respect to the second class of Amendments. When the time came for discussing the first of the second class of Amendments—namely, that of the hon. and learned Gentleman the Member for Chatham (Mr. Gorst), the Government stood forward in the person of the Solicitor General (Sir Farrer Herschell) and gave reasons which were satisfactory to their minds against the adoption of any of the proposed limitations. There the matter rested last night, and to-day the discussion upon the hon. and learned Gentleman's (Mr. Gorst's) Amendment was renewed. In the course of the discussion there was some reason to suppose that another Amendment — the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler)—would, on the whole, be more acceptable to a considerable number of hon. Members than the Amendment of the hon. and learned Member for Chatham (Mr. Gorst). In principle, there was no difference between the two Amendments—they aimed at the same object; but, in phraseology, the one appeared to many to be more suitable to the circumstances of the case than the other, and the Committee were rather led to infer from what had fallen from the Government that they held the same opinion. Holding that opinion, they thought that a discussion taken on the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler) might lead to something being done by the Government to solve the difficulty. Under those circumstances, his right hon. Friend the Member for South-West Lancashire (Sir R. Assheton Cross) threw out the suggestion that the Amendment of the hon. and learned Member for Chatham (Mr. Gorst) should be withdrawn, and that of the hon. Member for Wolverhampton (Mr. H. H. Fowler) substituted for it. To that proposal the hon. and learned Member for Chatham agreed. The Amendment was, by leave, withdrawn, and the Amendment of the hon. Member for Wolverhampton was proposed. So far they were all clear in the course they were taking; but then the Government got up and said—"We do not accept the Amendment of the hon. Member for Wolverhampton, neither do we move any Amendment upon it. But we suggest that the Amendment should be withdrawn, that the whole matter should stand over, and we will undertake, at a later period, to bring forward a proposal which will accomplish some portion at all events of that which the hon. Member for Wolverhampton desires." The Committee was invited to agree to the Amendment being withdrawn, and to wait for an indefinite time for the Government's Amendment —until, in fact, such a time as all that had just transpired would have passed out of their minds. They would have a proposal brought before them by the Government which they would be called upon to discuss at great disadvantage. He did not think that that would be a satisfactory mode of dealing with the question; and he was bound to say that it would be something like sharp practice towards his hon. and learned Friend, if, after inducing him to withdraw the Amendment in order that a discussion might be begun upon another Amendment, the Committee were now asked to agree to the withdrawal of the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler), because the Government said they intended to propose certain words of their own on the Report. He would not say that if the Government had intimated what it was they intended to propose on the Report, the Committee would not have been satisfied, and that it would not have been desirable to withdraw the Amendment; but they had nothing of that sort before them, and as the matter stood at present there was no course open to them, as it appeared to him, but to vote in support of the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler).

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the right hon. Gentleman had stated with accuracy what had occurred since yesterday evening; but the right hon. Gentleman had not been many minutes upon his legs before he charged somebody or other with sharp practice.

SIR STAFFORD NORTHCOTE said, what he had stated was that the Government might be liable to a charge of sharp practice, if they induced the hon. and learned Member for Chatham (Mr. Gorst) to withdraw his Amendment in order that the discussion should be taken upon another Amendment, and then asked the Committee to agree to the withdrawal of that Amendment.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he repudiated the charge of sharp practice altogether, and wished to mention one fact which the right hon. Gentleman entirely omitted. The right hon. Gentleman had stated the facts connected with the withdrawal of the first Amendment; but the right hon. Gentleman went on to say that since the Amendment of the hon. and learned Member for Chatham had been withdrawn, and the hon. Member for Wolverhampton moved his Amendment, the Government got up and made the suggestion that that Amendment also should be withdrawn. He was afraid that the right hon. Gentleman could not have been in the House at the time. It was the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) who rose and suggested that there was such a wide distinction between bribery and treating, that the Government ought to see if they could not find some way of making a proposal. The suggestion, therefore, in the first instance, came from the side of the right hon. Gentleman himself. Nevertheless, the right hon. Gentleman now got up and charged the Government with being guilty of something like sharp practice for having made the suggestion, when, in point of fact, they had simply followed the suggestion of the right hon. Gentleman the Member for South-West Lancashire. It seemed to him that the suggestion itself was endorsed by his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler); and, under such circumstances, the suggestion having come from the Front Opposition Bench, and being accepted by the Mover of the Amendment, he wondered what would have been said if the Government had refused to take it into consideration. When he (the Attorney General) had suggested that this course should be taken, the right hon. Gentleman the Member for South-West Lancashire cheered him over and over again; and if anybody had prophesied to him that in the course of Parliamentary conduct, or in the course of Parliamentary tactics, within half-an-hour of that time he would have found the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) denouncing the Government for accepting his own Colleague's suggestion, after having been led on by the cheers of his right hon. Colleague, he (the Attorney General) would have declined to believe him. He could never have thought that the right hon. Gentleman would have repudiated the suggestion of his Colleague, or that he would have set them such an example of Parliamentary tactics. It was the more to be regretted when they knew that it came from one who had hitherto set so high an example of honour in regard to Parliamentary proceedings. What was the course they were now asked to take? He had hoped that the suggestion he had made to the Committee would have solved the difficulty, and he thought he had conveyed to the Committee that he was willing to accept the lines in substance of the Amendment of his hon. Friend the Member for Wolverhampton. He had taken it distinctly on the suggestion of the right hon. Gentleman that it should not apply to treating and undue influence, and that was substantially the Amendment of his hon. Friend. He had stated that he would carefully examine the words in order to see if he could not meet the views which had been expressed in regard to the application of the clause to minor offences. That offer seemed to meet most distinctly the views of the right hon. Gentleman the Member for

South-West Lancashire (Sir R. Assheton Cross). Then, in what position were they now? The Government had taken this course in the hope that it would meet with the moderate views of the Committee. He should deeply regret to have to vote against the Amendment of the hon. Member for Wolverhampton as it now stood, because they would be negativing it as regarded all degrees of corrupt practices. But if, under the skilful guidance of the right hon. Member for North Devon (Sir Stafford Northcote), hon. Members insisted upon the Amendment being divided upon, with all the objections at present contained in it in regard to bribery, the Colleague of the right hon. Gentleman having already acknowledged that it was a desirable provision against bribery—if, upon the appeal to those who, to a great extent, sympathized with his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler), they were forced to take this course, and to decide upon the Amendment, he thought they would be acting most unwisely in relation to the course of conciliation which the Government were desirous of pursuing. But if the right hon. Gentleman insisted upon pushing the Amendment they would have no alternative; and they would be driven into the Lobby to vote against an Amendment which, to a great extent, they were willing to accept. If this Division were thrust upon the Government by hon. Members opposite, acting under the guidance of the right hon. Gentleman, he would ask the majority of the House to consider whether the hostility now offered to the Amendment was not hostility on the part of the Government, but in consequence of the tactics pursued by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote)?

SIR R. ASSHETON CROSS denied that his right hon. Friend who sat beside him had either discarded his Colleague or denounced the Government. What he (Sir R. Assheton Cross) had stated was, that he thought all corrupt practices were not upon the same footing; and he might have been instrumental in inducing his hon. and learned Friend the Member for Chatham (Mr. Gorst) to withdraw his Amendment in favour of that of the hon. Gentleman opposite. At the same time, he thought they were fairly entitled to say that they ought to divide upon the Amendment now before them. The hon. Member for Wolverhampton (Mr. H. H. Fowler) had stated, in the course of his remarks, that, hard as the clause pressed upon bribery, it would be much worse when they came to deal with the minor offences of treating and undue influence; and the suggestion to which the Attorney General had referred came from the hon. Member opposite, and not from him (Sir R. Assheton Cross). There was one sentence in the speech of the hon. Member for Wolverhampton upon which he certainly had made a remark—namely, that he was opposed to the clause altogether as it stood, because he thought that, as to bribery and everything else, it was too severe. He had also stated that if it were carried in regard to bribery, it ought to be modified in reference to undue influence and treating. He had stated that there was, undoubtedly, a great difference between bribery and the other two classes of offences; and he further said that he should be glad if the Government could see their way to meet those minor offences. He had never, however, withdrawn his objection to the clause as it stood, even in regard to bribery. The utmost he had said was that the Government might be able to meet them half-way. If the hon. Member for Wolverhampton went to a Division—and he certainly hoped he would—he (Sir R. Assheton Cross) would support him.

MR. JOSEPH COWEN said, the course taken by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) had placed the Committee in a peculiar position. They were discussing an Amendment which the Mover was anxious to withdraw, and a clause the contents of which they were not acquainted with. He quite recognized the force of what the right hon. Gentleman said, that if the discussion were adjourned it would be renewed again, and all the talk they had now had would come on again, and that it might be brought forward some days or weeks hence to the disadvantage of all parties concerned. He therefore thought that some middle course might be taken, and that they might allow the Amendment to be withdrawn, on the condition that the Attorney General brought up a new clause on Monday, when the discussion might be renewed.

The ATTORNEY GENERAL (Sir Henry James) said, that that could not be done.

Mr. JOSEPH COWEN said, that, in that case, it appeared to him they had no alternative but to proceed with the discussion of the Amendment upon its merits until the ordinary hour arrived for an adjournment. The discussion would then be renewed on Monday after Question time, and nothing would have been lost, and they would have advanced the Business of the Committee. If the other course could not be taken on account of technical reasons, this was the only course they could pursue. He thought the Government had made a reasonable suggestion, and that they had gone as far as they could be expected to go. They all admitted that it was a very difficult question to settle, and the concessions made by the Government appeared to him to be a reasonable approach towards a settlement. The argument that underlay the consideration of the matter was that a candidate might be made responsible for the acts of an agent whom he might not have seen, and of whom he knew nothing. The Attorney General had stated, with great emphasis, that a candidate must be responsible for the acts of his agent. No doubt, in commercial matters, that was so; but a man who had an electoral agent could not be responsible for his action, because such an agent could delegate his authority to a third person, and therein lay the hardship and the danger to the candidate; because under the clauses of this Bill the candidate was made responsible, and punished for the action of the third person. The Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler) would get rid of that difficulty, and he apprehended that the new clause the Government intended to submit would also get rid of it. They could not insist on the Government giving them all they wanted, and they ought to accept that which they thought was best. At the same time, it had become evident that they could not make further progress with the Bill until such time as they had some definite understanding as to the position in which this matter rested.

Mr. RITCHIE said, the hon. and learned Attorney General had, no doubt, made a good tactical movement when he devoted some considerable time to an attack upon his right hon. Friend the Member for North Devon (Sir Stafford Northcote) and his action. But it seemed to him (Mr. Ritchie) that the attack showed signs of weakness, because the Attorney General did not make a single remark upon the point at issue. He (Mr. Ritchie) would point out wherein the difference between them lay. There might be an exceptional act of bribery and an exceptional act of treating. What was the difference in principle between the two? That was the point they were anxious to ascertain, and they had nowhere heard any definition of it. Of course, it must be borne in mind clearly that, by the Amendment now before the Committee, such a trivial act must not have been done with the knowledge of the candidate or his immediate agent, and that it could not have had any effect upon the election. With these safeguards it was quite possible to draw a line between a trivial and an exceptional act of bribery and a trivial and exceptional act of treating. He therefore hoped the Committee would divide on the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler), and not postpone the consideration of the question to a time when all these points would have to be raised over again.

Mr. CHAMBERLAIN said, he could not help thinking—and he believed the Committee would agree with him—that the three last speeches they had listened to—certainly the two former of them—were really an argument against any course of conciliation on the part of the Government. He asked the Committee to remember what had taken place. No doubt, they had arrived at a critical and difficult part of the Bill. Hon. Members opposite, and those on that side of the House, desired, if possible, to protect Members of Parliament and candidates from being unjustly compromised by election agents. That was a perfectly legitimate object, and one which it was extremely desirable to accomplish. On the other hand, the Government represented that unless they were careful in their endeavour to protect Members and intending candidates, they might fail to secure purity of election. There was no doubt whatever of this—that if they were determined there should be no risk whatever to candidates or to Members of the House, they might as well give up altogether all attempts to prevent bribery and corruption. It was impossible, in his opinion, to prevent some little injustice being done. That being the state of the case, the Government desired, on the one hand, to meet the legitimate objects of hon. Members who had criticized the Bill; but, at the same time, they were anxious to protect the main principles of the Bill. A suggestion, which came to them in the first place in the shape of a hint, was adopted at once by the Mover of the Amendment before the Committee, and further explained by the right hon. Gentleman opposite (Sir R. Assheton Cross). It was pressed by both of those Members on the attention of the House; and the Government considered that to that suggestion, at all events, there could not be taken the objection which applied to the Amendment of his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler). They determined, therefore, to give a favourable consideration to the suggestion made to them. His hon. Friend the Member for Newcastle-on-Tyne (Mr. Joseph Cowen) told them that the discussion should not cease until the Government declared definitely what they intended to do with regard to the Amendment. Now, that was a course of action which was likely to be mistaken in the constituencies. Every hon. Member who had spoken declared his intense anxiety to see the Bill become law. Therefore, it seemed that every Member was desirous to see the Bill passed. If they did so desire, he must say that they were not materially assisting the progress of the measure by the course they were adopting. The discussion had already occupied two whole Sittings; and yet it was now threatened that the discussion would be continued unless the Government gave an explanation of an Amendment which was not before them. He objected altogether to the Amendment of his hon. Friend the Member for Wolverhampton in the form in which it now stood. He was quite certain that if the Amendment was adopted it would provide a loophole through which all the acts they were protesting against, and from which they were expressing their anxiety to be protected, would again creep up. It was asserted that all that was required was that the Election Judge should find that the bribery was a corrupt practice, yet of so trivial a character that it did not vitiate the election. That would prevent an Election Petition being successful in every borough in which there was anything like a large majority. Take the case of Wolverhampton. His hon. Friend the Member for Wolverhampton sat for a borough which was as pure as any in the United Kingdom, although that might not always be the case. The Members for that borough were returned by a majority of 6,000 or 8,000 votes. There might have been bribery in Wolverhampton; but what sort of proof must be given in order that an Election Judge should be able to declare the election void on account of bribery? Unless they could show that the bribery had an effect upon the election—in which case they would have to show that more than 6,000 persons had been bribed, which would be an impossibility; or unless they could show that the bribery was not of a trivial character, which must, of course, be considered in reference to the number of the constituency, and the majority — unless they could show one of those two things, they would not be able to void the election. In his opinion, the key-note of this question of bribery and corrupt practices was not so much their dealing with the candidate as with the agents. It was nonsense to talk of the bribery of candidates. A candidate was never personally conscious of bribery; at any rate, he never admitted it. They were never able to prove that a candidate had been personally conscious of bribery. He thought there was hardly a case on record in which the candidate had been proved to have countenanced the bribery or corrupt practices by which the election was rendered void. Therefore, if they dealt with the candidate, and the candidate alone, they would be doing nothing whatever. They must make it impossible, or, at all events, impolitic, for the agents to bribe. The agents were not appointed directly by the candidate, and they could only do that by convincing these persons that they ran great risk in committing bribery. If they allowed the agents to see that there was any possibility of escape, and that no single act committed by any one of them could vitiate the election unless it was shown that general malpractices were going on, no candidate would ever be unseated. He thought the Committee had to consider, at the present time, which of two things they would prefer—whether they would prefer to make a candidate absolutely safe, in which case they might as well give up all further consideration of the Bill, or whether they would endeavour to procure purity of election, and, at the same time, do all in their power to prevent the possibility of inflicting injustice. He believed that by a moderate Amendment, such as that proposed, in the first instance, by the hon. Member for Wolverhampton (Mr. H. H. Fowler), they would have gone as far as they could in the direction of protecting a candidate. They would have protected him against trivial acts of treating. He did not believe in trivial acts of bribery. He believed that, as a rule, where bribery was committed it was not trivial. On the other hand, treating might be trivial and unimportant. It was possible, as had been suggested, that a member of an Election Committee might give a voter a glass of beer without considering the effect of what he was doing, and it was just possible that that would be held to have vitiated the election. He must say that a Judge would take an extreme view if he did so hold; and if they could protect a candidate against such a penalty he thought they were justified in doing so. He believed the Government had shown every desire to meet all reasonable objections, and further they did not feel disposed to go.

Mr. WARTON said, he was sorry that the President of the Board of Trade had interposed in the debate. The right hon. Gentleman seemed utterly unconscious of the course which opinion had taken in the Committee last night and that day. The right hon. Gentleman was still sticking at the point which they had disposed of last night, and was reproducing arguments which had already been effectively answered. He protested against the proposal to put the question off. The Amendment was proposed in the right place in the Bill. There had been ample Notice of it, and the Government ought to have made up their minds. It would be ridiculous to put it off to some other stage, when it would be impossible to give sufficient attention to it. It was now raised at the proper time, and in the proper place; and it was the duty of the Government to say if they could not do something to meet the demands of justice. It was perfectly clear that candidates were often placed in the most painful position, and in a position in which they ought not to be placed. Ample proof of this was to be found in the opinion expressed, over and over again, by Baron Bramwell, Mr. Justice Lush, and other Judges.

Mr. HENEAGE said, that a good deal of the present discussion would have been rendered unnecessary if hon. Members had been present last night when the Attorney General made his able speech. The hon. and learned Gentleman then pointed out the reasons why he could not accept the Amendment of the hon. and learned Member for Chatham (Mr. Gorst), not because he did not seem satisfied with the object aimed at, but because he knew there would be great difficulty in drafting an Amendment. At the same time, the general feeling in the House was that something ought to be done in the direction of the Amendment of the hon. and learned Member for Chatham. He believed there were some hon. Members who would have taken either the Amendment of the hon. and learned Member for Chatham, or the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler); but, on the whole, there was a strong feeling that some terms ought to be arrived at. The hon. Member for Ipswich (Mr. Jesse Collings) told them that those who supported the Amendment showed that they possessed no confidence in the Judges. Now, he (Mr. Heneage) ventured to say that the speech of the hon. Member, by that very remark, entirely fell to the ground, because all that was now asked was that a dispensing power should be given to the Judges.

The CHAIRMAN: The hon. Member must confine his remarks to the Amendment now before the Committee.

Mr. HENEAGE said, he only wished to remark that they showed their confidence in the Judges by asserting that they were quite ready to accept their decision; and yet, at the same time, the Committee were not content to put that amount of confidence in the Judges which the Government asked them to do, by giving them power to absolve persons whom they really did not think had committed corrupt practices. He thought the attacks which had been made on the Government from the other side of the House were unfair. His own opinion was that the Government had endeavoured to meet the feeling of the House; and, during the last hour, the discussion had gone backwards instead of forwards, owing, he thought, to the fact that many hon. Gentlemen were now present who were not in the House last night. It was quite clear that a dispensing power ought not to be given to the Judges in the case of bribery; but the rule must be laid down in the Act fairly, and the Judges must have no dispensing power. In regard to personation, it was equally desirable that they should put down the offence; but his own opinion was that the best way of doing so would be to keep the Register free from dead men. He was acquainted with an instance in which there were 11,000 names on the Register, and 3,000 of them were those of persons who were either dead or duplicated. That fact afforded a considerable chance to persons for committing personation. He trusted that the Committee would support the Government in the line they were taking. He hoped a compromise would be come to, because it would be a most disastrous thing now to go to a Division. A great many Members did not like the clause; but they must either vote for that, or for the Amendment which had been fairly made by the Government. He believed the hon. Member for Wolverhampton was himself of that opinion; and he was sure that a very large number who were in doubt this morning as to the course they should take now found themselves freed from difficulty by the course adopted by the Government.

MR. PLUNKET said, he hoped the Committee would insist upon going to a Division; and he wished to say that, so far as he was concerned, he was not the least to be deterred from speaking on this question by what the President of the Board of Trade had said. The right hon. Gentleman complained because the Committee had not accepted, in a spirit of conciliation, the suggestion of the Attorney General; but he must say that a more objectionable speech he had seldom listened to than that of the right hon. Gentleman. He did not at all take exception to the speech of the Attorney General; but when the right hon. Gentleman came forward in an entirely different manner, and told hon. Members that, if they ventured to discuss this matter any further, their conduct would be misunderstood in the constituencies, he thought there was a little too much of this reference to the constituencies. It was felt throughout the House that this threatening and dragooning was really becoming intolerable. Their conduct was to be misunderstood by the constituencies! What was the conduct that was to be misunderstood? The Government brought forward a clause in this Bill so harsh that it was likely to defeat the purpose of the Bill itself. [The ATTORNEY GENERAL (Sir Henry James): It does not alter the law.] True; but they were now re-settling the law in regard to corrupt practices. The Government had largely extended the scope of the penalties by this Bill, and imposed greater penalties; and they were now asked to modify some of the clauses, on the suggestion of the most learned Judges in the land. A harsh enactment would be perpetuated in the law of the land if this clause was to stand in its present shape. But now he wanted to know what was the conduct that was to be misunderstood? Here was a proposal, in this 4th clause, which had been objected to from every quarter of the House, and upon which Amendments had been placed on the Paper. They could get no satisfactory statement from the Government as to what they were prepared to do; but to-day, when a number of various Amendments were on the Paper which might have occupied a long time, a suggestion was made, and strongly supported by the right hon. Member for South-West Lancashire (Sir R. Assheton Cross), that all these Amendments should be cleared off, in order that they might come to a discussion and decision upon the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler), which gave the best promise of narrowing the discussion. Then the Attorney General made an offer, which he certainly thought was to some extent a concession, and which some Members were disposed to adopt. He himself was not at all disposed to adopt it, for reasons which he would submit presently. Some difference of opinion was expressed as to whether this Amendment was now offered for the first time; the Attorney General said he quite agreed in what he understood to be the meaning of the right hon. Member for South-West Lancashire; but then it had turned out that he quite misunderstood the matter. They had not been discussing this new offer on one of the most important questions raised by this Bill for more than a few minutes, when the President of the Board of Trade got up and told them their conduct was to be misunderstood by the constituencies. Concession was useless, and conciliation impossible, if such language as that was to be used. The conviction was growing in his mind from day to day that those charges were not made in the interests of particular measures, but for the purpose of creating and strengthening a cry which might be availed of in the country hereafter. Now, he desired to pass from that controversy. It was most unpleasant to have to refer to such a matter; but if there was any truth in such charges, let them be brought forward and tested; and, if not, then let them not be thrown down upon the floor of the House in order to provoke irritation amongst those against whom they were made. What was the real point? The Attorney General said he was willing to adopt the policy of the Amendment, except so far as it dealt with bribery; and that, without exactly saying how it was to be done, at some future stage of the Bill he proposed to bring up a clause for that purpose. The ground upon which he was not satisfied with the proposal was this. No doubt, it was a great object, as far as possible, to get rid of corruption and obtain purity of elections; but, on the other hand, they must not make the law so hard that it would become unpopular in the constituencies. It was, above all things, important, as far as possible, to preserve the innocent man from undeserved consequences; and he agreed with the hon. and learned Member for Plymouth (Mr. E. Clarke) that there was a danger of making it impossible for the very kind of men they most wished to have in the House —men of great respectability and honour —to come here because they would not be willing to confront the dangers they would have to risk if the law was laid down as was now proposed. What were they asked to do by the Amendment of the hon. Member for Wolverhampton? There were two purposes aimed at by the Amendment. One was, in certain cases, to declare that an election should not be void; the other was to declare, in certain cases, that the penalties should not attach to the candidate. Those were two perfectly different purposes, and he approved of both of them; but the real object was to give the Judge, in certain cases, an equitable power of extricating a candidate from penalties of a severe kind; and in certain cases, also, to prevent the election being declared void. The first of these objects was the one which pressed upon his mind, and it was with regard to that that he could not accept the Amendment of the Attorney General as satisfactory. What difference was there between giving a man an "occasional" glass of beer, and giving him an "occasional" half-a-crown? Where was the distinction in principle? Why should a candidate be made to suffer a penalty of the most dishonouring kind—namely, that he should not be allowed to be a candidate in his own town or county for seven years—in one case, and not in the other? He could understand, to a certain extent, the distinction as applied to the other part of the clause—namely, as to invalidating an election; but as to a candidate who was to be thus punished, it was impossible for the Attorney General, by means of any subtlety, to draw a distinction. They were now dealing with a very important matter. If they made the law so severe that they could not get the best men to come forward—the men who had been described by the hon. and learned Member for Plymouth (Mr. E. Clarke) as the successful mercantile and professional men, the county gentlemen, and the wealthy and popular men in the boroughs or counties—their places would be taken by men whom they least wished to have in the House, namely, the "carpet-baggers"—fellows who went about ready to face any danger. The consequence would be that while the constituencies would not be in any appreciable degree purer than if this Amendment had been adopted, a serious barrier would be raised up, and the doors of the House closed against the very men whom they wanted here. Therefore, with great earnestness, he implored the Committee to pause well before they rejected this Amendment.

SIR WILLIAM HARCOURT said, the right hon. and learned Member who had just sat down had ended his speech with a mild and moderate argument, although he had entered on the discussion with a great deal of warmth. Having taken up the hard canon put forward by the right hon. Member for South-West Lancashire (Sir R. Assheton Cross), that Members for the Universities ought not to interpose in this debate, the right hon. and learned Gentleman had not, he was glad to see, adhered to it. But the right hon. Member for the University of Cambridge (Mr. Raikes) had really said what the right hon. and learned Gentleman (Mr. Plunket) was now so indignant with the President of the Board of Trade for saying. The right hon. Gentleman said, if they passed any of these Amendments, they would make things a great deal worse than they now were. Was that true or not? If it was true, then he did not wonder at anybody saying that the constituencies would think the House had done a very bad thing indeed. The right hon. Gentleman had not disputed that this proposed Amendment was a relaxation of the existing law. If that was so, it was quite obvious that the tendency was to relax the existing security against bribery. The Attorney General had said that would be totally unsafe, and that if they relaxed the law against bribery to the extent of this Amendment they would make things worse. He had admitted that a relaxation might be made with regard to matters which did not include bribery; but as this Amendment would relax the existing law against bribery it could not safely be adopted. Did the Committee intend to make the security against bribery less severe? If so, then let them vote for this Amendment; but the Government, through the Attorney General, said they could not consent to the Amendment, because it would make things much more dangerous than at present. What did this Amendment do? Corrupt practice, of course, included bribery; but under certain circumstances, according to the Amendment, that was not to make an election void. That was the real issue, and the Government held that that was not a safe course to adopt. Desiring, as they did, to repress more strongly than before corrupt practices, and especially bribery, the Government could not assent to an Amendment which was, in point of fact, a relaxation of the security against bribery. That was a very clear and distinct issue, upon which he thought the Committee might very well come to a decision; and he could not see why the right hon. and learned Gentleman opposite should be so indignant at the President of the Board of Trade for saying that to support an Amendment which confessedly relaxed the security against bribery was a course of procedure very likely to be misunderstood. He thought it was, and that it was just as well that that should be said; but he did not see that there was anything menacing in that at all. They were conducting affairs in that House in the presence of the country; and they must be extremely careful, with every endeavour they could use, not to relax any security which at present existed against bribery. With reference to equities generally, and to the position of the Judges, he was very much disposed to hold that none of those provisions were wanted at all. The fact was that able Judges did administer equities already, and had always done so. [Mr. WARTON: They cannot.] Well, they did so; and he ventured to say there were hon. Gentlemen opposite who knew that equities had been administered. The right hon. Member for Westminster (Mr. W. H. Smith) knew that equities could be and were administered by the Judges. When Baron Martin sat as an Election Judge, he gave free expression to these equities, and said he was not going to upset a man for 1*s.* 6*d.* No legislation that could be passed could compel a Judge, who had not the disposition or the strength to administer the equities, to do so. He believed that, as the law now stood, a Judge had power to take a rational and common-sense view. [Mr. J. COWEN: Why not put that in the Bill?] There were some things that could not be put into a Statute, and of all things the most difficult to define in a Statute was common sense. Men were called upon every day to act upon one side or the other; and if the Committee attempted to put into words the principles upon which they acted they would entirely fail, and probably very much embarrass the men who had to come to a conclusion. He believed the Judges had all in their power that it was desired to give them.

As to this Amendment, it seemed to him to give a sort of letter of licence to modified crime. No doubt there were Gentlemen who held a different opinion; but to the Government that was the real meaning of the Amendment, and they were unable to accept it.

Mr. A. H. BROWN said, hon. Members who had spoken on the opposite side of the House desired to have a Division taken as to whether bribery was to come within this Proviso or not; but the Government said, and he believed with great truth, that it was impossible to allow bribery. He wished to put it to hon. Members that those who voted for the Amendment of the hon. Member would then be able to vote upon the question of including or excluding bribery. He thought the compromise offered by the Attorney General reasonable and acceptable, and he hoped the hon. and learned Gentleman would adhere to it; but as there was a disposition to force matters to a Division, and get the Government to include bribery in the compromise, he would propose to insert in the second line of the Amendment the words "other than bribery," so as to limit the action of the Proviso to corrupt practices which were not bribery—namely, treating and undue influence.

Amendment proposed to the proposed Amendment, after the word "practices," to insert the words "other than bribery."—(*Mr. Alexander Brown.*)

Question proposed, "That the words 'other than bribery' be inserted in the proposed Amendment."

Mr. LABOUCHERE said, the Government had complained of the words "sharp practice" having been used; but, although he should not have used such words, it seemed to him that, by this change of front, the Government had done an exceedingly good stroke of business. What occurred last night? He was anxious that one of these Equity Clauses should be adopted; but, seeing that there were four or five of them, and thinking that if those who favoured the Amendments spread themselves over all of them they would be defeated, he suggested that other hon. Members should withdraw their clauses in order that the discussion and Division might take place upon the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler). Hon. Members had withdrawn their Amendments on that understanding, and he thought it was very hard upon them to find this compromise. What did the compromise mean? It meant that when they asked for a shilling they only got a halfpenny. Could the Attorney General say what distinction there was between treating and bribing? He himself could not see the slightest difference between giving a man a glass of beer and giving him the money to buy beer with; except that beer was a more insidious way of bribing than money. The President of the Board of Trade complained of some observations by the hon. Member for Newcastle (Mr. J. Cowen), and incidentally of some observation he (Mr. Labouchere) had interjected. His observation was that he thought it would be advisable not to take a Division to-day; and the reason why he suggested that was that the hon. Member for Newcastle had expressed a hope that the Amendment of the Attorney General would be brought up on Monday. The reply of the Attorney General was that that would be impossible; but if they divided at once, they would then pass to the next clause, and the Amendment would have to come in at the end. Under these circumstances, and considering that a discussion on this question was necessary, he did not think it was anything monstrous to propose that the discussion should go on for a while longer this evening, in order to give the Attorney General an opportunity of bringing up his Amendment on Monday. The right hon. Gentleman had also said that they were to be threatened with the constituencies. ["No, no!"] Would the right hon. Gentleman state what he did say?

Mr. CHAMBERLAIN said, that what he did say was that, in his opinion, the course which some hon. Members had taken was likely to be misunderstood, and that the constituencies might very likely doubt the extreme anxiety for the passage of this Bill which some hon. Members had expressed.

Mr. LABOUCHERE said, he did not think he had misunderstood the right hon. Gentleman; but, so far as he was concerned, he would relieve the right hon. Gentleman of all anxiety. He could assure the right hon. Gentleman that, great as was the confidence which he had no doubt his constituents felt in

Her Majesty's Government, they felt a great deal more confidence in him (Mr. Labouchere). When he took one view of a measure and the Government took another, they were perfectly convinced that he was right and the Government were wrong. What his constituents thought was not that this Bill should be hurried through, but that it should be a good and a sound Bill; and he denied that that would be the case if this compromise was accepted. What were the facts? He would take Northampton. A good deal had been said about that constituency; but he thought it was admitted to be a pure constituency—both on the Liberal and on the Conservative side. There were a large number of gentlemen in that borough who took an active interest in politics. They were members of a Committee, or of a Three or Five Hundred; but they would come in the category of agents. Suppose that one of those should be so carried away by his feelings during an election as to say to another elector—"Come and vote. You are a working man; you don't seem to like giving up a day's work in order to vote; but I will give you 2*s.* or 3*s.*" As he understood it, the Bill, as it now stood, even with the proposed compromise, would enable a Member to be unseated upon that. It was all very well to talk about Members not thinking of themselves in these matters; but he had no hesitation in saying that he did think of himself in this matter. If there had been bribery, the election must be declared void; but it was monstrous to say that they would trust the Judges when it was a matter of beer, and not when it was a matter of money. If, as the Home Secretary said, the Judges had this power already, why did the Government object to putting it in the Bill? He did not want to define common sense; but he wished to give the Judges a plain power such as the Home Secretary said they already had, but which they themselves said they had not, and in consequence injustice had been committed. It was unfair to say that anybody who took that view was in favour of bribery. There were Gentlemen who were just as strongly opposed to bribery as the Attorney General himself, and they were anxious that this power should be inserted in the Bill. If the Attorney General limited his Amendment to treating and undue influence, he should himself at once put down an Amendment to include bribery; and he was perfectly convinced that his constituents would not think he had done so from any desire to evade the consequences of bribery, or to encourage bribery.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he did not wish to re-open this debate; but the hon. Member had challenged him to say what was the difference between bribery and treating. His belief was that one was as great an evil as the other; but he knew of no case in which trivial treating had ever unseated a Member. He did, however, know of cases in which what was termed bribery had unseated a Member. Treating, when it was at all general, was well known; but bribery was secret. He made no distinction between the two things morally; but in respect to the proof, and also because there might be greater danger in respect to what was termed innocent treating, he thought he might draw a safe distinction under this 4th clause. He must appeal to the hon. Member (Mr. A. H. Brown) not to press his Amendment; and he hoped the Committee would consider his Amendment in conjunction with that of the hon. Member for Wolverhampton (Mr. H. H. Fowler), and see whether the ideas expressed by the Amendment would be strengthened by the bringing up of a new clause. Some disadvantage, he feared, would result from this discussion. He had done all he could to meet the view of the right hon. Gentleman opposite, and of the hon. Member for Wolverhampton; but the result would teach him to be more certain, before he made a concession, that it was the general wish of the House. Now he was taunted for not giving way; but when he accepted the very suggestion that came from those who had a right to make it, then he was told that there was something which was not keeping faith. What deduction could he draw other than that in future he must be much more careful and cautious?

SIR STAFFORD NORTHCOTE said, he had not the slightest intention to say anything that could, in the slightest degree, cause annoyance to the hon. and learned Gentleman.

MR. H. H. FOWLER said, he must enter his strong protest against the statement of the Home Secretary that this Amendment was confessedly intended to relax the securities against bribery, and was intended to give a letter of licence for modified corruption. He utterly repudiated that suggestion. This Amendment was the suggestion to that House of one of the most eminent of our Judges. It was a suggestion stamped with the authority of Lord Bramwell, and it had been met by the Attorney General on totally different grounds from those of the Home Secretary. He regarded the Amendment as intended to strengthen the securities against bribery, and to promote purity of election; but, apart from that personal question, in what position were the Committee now? The right hon. Gentleman opposite had correctly said that this suggestion did not come from himself in the first instance, but from him (Mr. H. H. Fowler); but a great many Members were not present last night, and the Committee were at a great disadvantage in pursuing this discussion. The strain and the strength of the arguments last night was the hardship of this stringent law on treating. The force of the Attorney General's reply was with reference to bribery. He (Mr. H. H. Fowler) had thrown out the suggestion that if the Government were not prepared to accept the whole Amendment they might meet it in some degree. "Half a loaf was better than no bread." He should very much have preferred the Amendment as it stood, although he was free to admit that the language might be improved and its legal bearings might be amended; but the Government had stated that they would not accept it as it stood. They said, however, that they would meet the Amendment half way, and would remove from this stringent law a large number of the offences to which he had called attention this afternoon; but they would not alter the law as to cases in which there was an actual passing of money. If they could not get everything, was it not better to get what they could? If the Amendment was taken to a Division, the Committee would vote upon it as a whole, and would vote against the principle of relaxation. He should, therefore, ask leave to withdraw his Amendment. If leave was refused, he should, of course, vote for his own Amendment, which he very much preferred; but, as a matter of Parliamentary strategy, he thought it would be better to get what he could from the Government in the way of a compromise, without attempting to get what, under the circumstances, was impossible.

Mr. A. H. BROWN asked leave to withdraw his Amendment.

Amendment to proposed Amendment, by leave, *withdrawn.*

Question put.

The Committee *divided*:—Ayes 180; Noes 209: Majority 29.—(Div. List, No. 148.)

Sir HARDINGE GIFFARD said, he now wished to move a Proviso which, he believed, embodied the views of the Attorney General. It would be found to include bribery, personation, and other corrupt practices. He thought the Committee were not prepared to part with the subject until the Government either adopted this proposal or amended it, notwithstanding the decision they had just arrived at. In order to give the Attorney General an opportunity of modifying the clause in any way he might suggest, he (Sir Hardinge Giffard) would move the Amendment which now stood in his name.

Amendment proposed,

In page 2, at the end of the Clause, to add—"Provided always, That if the election court shall in their report state that the corrupt practices, of which such candidate shall be found guilty by his agent, were not personations, or of a trivial character, and that they did not affect the result of the election, then the election shall not be void."—(*Sir Hardinge Giffard.*)

Question proposed, "That those words be there added."

The ATTORNEY GENERAL (Sir Henry James) said, he would appeal to the Committee to assist the Government in the confusion into which the matter had got in consequence of this particular course of action before the Government had time to consider the subject. Owing to the hurried way in which his hon. and learned Friend had drawn the Proviso, the effect of the words was to prevent an act of bribery voiding an election. Nevertheless, the disqualification of the candidate remained. His hon. and learned Friend had undertaken the task of drawing up the Amendment which he asked the Committee to accept as final legislation; and, nevertheless, he submitted to them a Proviso which did not carry out what he meant. The whole object of the Amendment was to relieve a candidate, and yet it did nothing of the kind. Then, ought the Government to be asked, in this hurried manner, to accept words which did not for a moment carry out what his hon. and learned Friend desired? Did his hon. and learned Friend mean to relieve a candidate from disqualification? [Sir HARDINGE GIFFARD: Yes!] He had certainly understood that that was his object; but the words submitted by his hon. and learned Friend certainly did not carry out that object. Instead of allowing the Government calmly to consider the matter, as he (the Attorney General) had promised they would do, if the Committee would allow him to draw the clause as he wished on the lines of the Amendment of his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler), and, acting in conjunction with his hon. Friend, an Amendment was submitted which it was impossible for them to accept. He had promised to draw up the best clause he could, and although hon. Members opposite had departed from the arrangement he still adhered to his promise. He would not treat the Division which had just taken place as final; but, at the same time, he could not accept the proposal of his hon. and learned Friend, and he did not see why they should be required to come to a conclusion in a hurried manner without due consideration.

MR. GIBSON said, he must express his surprise at the remarks which had been made by the Attorney General. These Amendments had been on the Paper for the last 10 days, and the Government had never suggested what line they were going to take in reference to amending them until that day. They had had ample opportunity for doing so; but, instead of clearly indicating what their intention was, they had made loose statements and delivered loose speeches two or three times a-day. He thought the Committee ought not to part with the clause until they knew from the Government what they meant to do. In the course of half-an-hour the time for adjournment would have arrived; and they were quite entitled, when the House met on Monday at 4 o'clock, to be in possession of the words which the Government proposed to incorporate in the clause. This was the place in which they ought to appear; and it was only right and proper that they should be put in. He did not accept the criticism of the Attorney General upon his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard). The closing words of the clause were "that if the candidate had been elected his election should be void," and the Amendment provided that if the Election Court should state that the corrupt practices were of a trivial character, and that they did not affect the result of the election, then the election should not be void. It was quite right that there should be some Amendment upon that important point when the House reassembled on Monday; and if the Attorney General wished to put it in better words he could do so. There was nothing to prevent his hon. and learned Friend from placing on the Paper an Amendment to carry out the views he had announced to the Committee, and which he desired to carry out. He himself (Mr. Gibson) had the most entire faith in what the Attorney General had said, and he gave implicit credence to his good intentions in the matter; but he did not think that it was either convenient or desirable to pass away from the clause until the Committee knew what the Government intended to do. He saw no reason why the Attorney General should not make the statement now which would have to be submitted later on in the form of a new clause. It must be remembered that the clause dealt with penalties for corrupt practices, and was a most momentous one, and it ought not to be parted with without a clear understanding. He had a very strong opinion that the ideas of many Members in reference to other clauses of the Bill must be substantially affected by the way in which they saw that these corrupt practices were dealt with. He wanted to know now, as it had not been stated clearly, whether the Attorney General meant to convey that he intended to present to the Committee, for its acceptance, an Amendment which would enable an Election Judge to say that in cases of undue influence and treating of an exceptional and trivial character they would not affect the result of the election, and the election would not be declared void? That was a clear and specific question. It was all very well to convey to the Committee that the Government intended to deal with treating and undue influence in a way different from that in which they dealt with bribery and personation. He could quite understand that; but, nevertheless, it still left them very much in the dark. At present, they knew that bribery and personation would entail the loss of the seat and all the other consequences provided in the Bill; and, as there would also be the finding of the Election Judge of undue influence and treating, he wanted to know from the Attorney General what his ideas were as to the powers of the Election Judge, if he were to arrive at the conclusion he had been speaking of in reference to undue influence and treating? Was he to have the power of declaring that the election was not void, and of freeing the candidate from all consequences?

The ATTORNEY GENERAL (Sir Henry James) said, he would take the Amendment of his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler). He would take up the 1st clause, which required to be safeguarded, by the fact that the corrupt practices were committed with the knowledge and consent of the candidate. He would also take the 2nd clause, subject also to verbal alteration; and would apply both provisions only to bribery and personation, and not to treating and undue influence. He would do more than that. Instead of only making the election void, he would carry it further, and remove the disqualification from the candidate.

Sir STAFFORD NORTHCOTE said, that, after the very clear and satisfactory statement of the Attorney General, he hoped his hon. and learned Friend would withdraw his Amendment, and that the Committee would be able to finish the 4th clause before the hour for adjournment arrived.

Sir HARDINGE GIFFARD intimated that he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 5 (Punishment of persons convicted on indictment of corrupt practices).

Mr. GORST said, he proposed to move an Amendment in the first part of the clause. The clause provided that a person who committed any corrupt practice other than personation, or aiding, abetting, counselling, or procuring the offence of personation, should be guilty of a misdemeanour. He proposed to omit the words, "other than personation, aiding, abetting, counselling, or procuring the offence of personation." He saw no reason why personation should be placed in a different category, and he thought that all corrupt practices would more properly be treated alike. The effect of putting personation in another category was to make it a slightly more severe penalty than it was at present made. Instead of a misdemeanour, it was made a felony punishable by two years' imprisonment with hard labour; whereas other offences were punished by only one year's imprisonment with or without hard labour. It seemed to him much more reasonable that there should be the same punishment for personation as for other corrupt practices. At any rate, the maximum should be the same for all corrupt practices. He knew that at the time the Ballot Act passed there was a great fright and scare got up that there would be an immense amount of personation under that Act, and the punishment was made severe in order to satisfy some people who thought that there ought to be an aggravated punishment for the offence of personation. He should like to ask the Attorney General how many people had been punished under the Ballot Act for personation? He thought it would be found that the number tried or convicted had been extremely few; and he did not think there was a single instance in which a person convicted of personation had ever received so heavy a punishment as one year's imprisonment. What, then, was the good of keeping up a distinction between personation and other corrupt practices? Why not simplify the clause and the law?

Amendment proposed, in page 2, line 30, leave out from "other than" to "personation" in line 32, inclusive.—(*Mr. Gorst.*)

Question proposed, "That the words 'other than' stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, he intended to accept the Amendment in form only, but not in substance. He accepted the proposal to omit the words referred to in the Amendment; but he proposed to accede to an Amendment which stood further down on the Paper in the name of the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), in order that the specific punishment for the offence should appear in the Bill, instead of simple reference to the punishment provided by Section 24 of the Ballot Act of 1872. He wished, however, to retain the punishment as it stood, and that he understood to be the desire of the right hon. Gentleman opposite. The hon. and learned Member for Chatham (Mr. Gorst) wanted to go further and reduce the punishment. He thought it would be more convenient to have the punishment specified in the Bill; and, therefore, to that extent, he accepted the hon. and learned Gentleman's Amendment; but he intended in substance to adopt the Amendment of the right hon. Member for South-West Lancashire, which provided that a—

> "Person guilty of the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence shall be guilty of felony, and any person convicted thereof shall be punished by imprisonment for a term not exceeding two years, together with hard labour."

The Ballot Act of 1872 made personation a felony. It was felt that there would be considerable difficulty under the Ballot Act in avoiding personation; and he was afraid, to a great extent, that it did go on. There could be no unintentional personation, and, therefore, no person whatever could suffer innocently; and the Government felt that they ought to retain the penalty already enacted for the offence. It should be remembered that many persons had been deterred from personation by the severity of the penalty; and if they were now to make it less than they had made it 11 years ago the effect might be bad. They had made it a felony, and they must mark their sense of the fact that the offence was as bad as it could be. He proposed in the 1st section of Clause 5, after the words "corrupt practice," to strike out the words "other than personation, or aiding, abetting, counselling, or procuring the offence of personation." The clause would then read—

> "A person who commits a corrupt practice shall be guilty of a misdemeanour, and on conviction on indictment shall be liable to be imprisoned with or without hard labour for a term not exceeding one year, and be fined any sum not exceeding £200."

Then, in the 2nd section of the clause, he proposed to insert the Amendment of the right hon. Member for South-West Lancashire (Sir R. Assheton Cross), making the offence of personation a felony punishable by two years' imprisonment with hard labour. He wanted to make it clear what the punishment for personation was; and he was afraid he could only agree to strike out these words, not in substance, but as a matter of drafting, with a view of making the subject more clear, when he came to the sub-section which declared what the punishment for personation should be.

MR. GORST said, he could not accept the proposal of the Attorney General, and he should feel obliged to take a Division on the matter, not as a friend of personation, because he wished to put a stop to personation, but because he knew that people had not been deterred from committing the offence by the severity of the penalty. The offence of personation was very common in the North of England—[*Cries of* "No!"]—it might not be so common in the South of England, but it was very common in the North—[*Cries of* "No!"]—probably not all over the North; but, still, it was very common in parts of the North of England. [*Cries of* "No!"] Perhaps hon. Gentlemen who said "No!" did not know as much about it as he did; and, so far from offenders having been deterred by the Ballot Act, the offence was just as common now, or even more so, than it was before the Ballot Act passed. It was precisely because the punishment was so extremely severe, and because the people knew what the terror of the law was, and that an indictment for felony involving two years' imprisonment with hard labour never was or never would be put in force, that they were not deterred from committing this offence. For this reason persons were never afraid of the punishment, and so committed the offence with impunity. A lighter punishment would be far more effectual than a severe penalty which nobody dreamt of putting in force. If the punishment for the offence of personation was one month's imprisonment, or a fine of £20, £30, or £100, according to the means of the offender, it would have been found that a great many more persons would have been brought up for that offence, instead of nobody receiving any punishment at all. Many persons would have received a light and speedy punishment; and, in short, the law would be certain to be enforced much more effectually. He would like to ask the Government to tell the Committee whether, as a matter of fact, the provisions of the Ballot Act had not been a dead letter; whether it was not so severe a law that it had never been enforced? In the interest of purity of election and a stoppage of the offence of personation he advocated a milder punishment, a punishment which would not shock the sense of public justice, and which could be enforced.

Mr. LEWIS said, he was justified in the remark that, although the Amendments had been on the Paper for 14 days, the Attorney General (Sir Henry James), who had charge of the Bill, had not yet arrived at a right understanding in regard to them. At all events, they had the admission of the hon. and learned Gentleman himself that sometimes he did not deliberate quite as much upon the Amendments as he ought to do. He (Mr. Lewis) had understood they were going to put the law relating to corrupt practices in a compact state. After all, they were not going to do anything of the sort; for, whereas they had been told over and over again that bribery was the grand climax of all electioneering offence, it appeared that in the estimation of the Government it did not stand at the top of the tree, but that personation did. It was absurd to class personation with all sorts of things which in the mind of man formed the category of felonious offences. If his hon. and learned Friend (Mr. Gorst) went to a Division he should vote with him.

Mr. R. N. FOWLER said, he was glad attention had been called to this question. His hon. and learned Friend (Mr. Gorst) seemed to think that personation was confined to the North of England. That, however, was not the fact, as it prevailed in other large constituencies. He (Mr. R. N. Fowler) recollected a remarkable case of personation in the constituency he had the honour of representing. A member of the Conservative Committee in the City was polled for the Liberal candidate, though it was well known at the time that he was sailing through the Straits of Gibraltar. It was questionable, however, whether, by making the law too strict, they would put a stop to personation.

Question, "That the words 'other than' stand part of the Clause," put, and *agreed to.*

Mr. BIGGAR said, the next Amendment stood in the name of the hon. Member for Sligo (Mr. Sexton), who was now in Ireland; and it was, practically, similar to an Amendment standing in the name of the hon. Member for Londonderry (Mr. Lewis). Seeing that the hon. Member for Londonderry had taken so much interest in the Bill, he (Mr. Biggar) and his hon. Friends thought they might allow the Amendment of the hon. Member for Sligo to pass, and let the issue be raised upon the Amendment of the hon. Gentleman (Mr. Lewis). Perhaps, however, he had better move the Amendment of the hon. Member for Sligo. It was, page 2, line 31, before "personation," insert "undue influence or." As the Bill now stood, a person guilty of the offence of undue influence was liable to all the penalties proposed in the Bill. It had been agreed by the Government that a distinction should be made between bribery and personation, treating and undue influence. His hon. Friend (Mr. Sexton), therefore, had put this Amendment on the Paper, so that the offence of undue influence, which was acknowledged by the Government to be comparatively of a slight nature, should not render the guilty person liable to the severest punishment under the Bill. It must be remembered that in many cases—in most cases in fact—undue influence was not used by the candidate himself, but by persons of more or less responsibility.

Amendment proposed, in page 2, line 31, before the word "personation," to insert the words "undue influence or." —(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, they had already declared undue influence to be a corrupt practice. They ought not, therefore, to allow the offence to go unpunished. It was not possible to accept the Amendment, because it would allow undue influence to be used with impunity and without any punishment.

Mr. LEWIS said, he considered the Amendment most important; and he asked what was the punishment attaching to a person guilty of undue influence? It seemed to him that those who had drafted the Bill had entirely forgotten the relation of the guilt of the offence to the extent of the punishment. He would not go into the general question of hard larbour; but he thought it was entirely out of the question to go to such extremes with a person who might be found guilty of such an offence as undue influence. What was a common form of undue influence, leaving, for the moment, Ireland out of the question? That of exclusive dealing. A person went into a shop, and said to his tradesman—"I will take away my custom if you don't oblige me on this occasion." Unquestionably, that would be the extent of the undue influence in many cases. It had never been suggested in the House—it had not even been suggested by the Attorney General (Sir Henry James)—that that was an offence which ought to involve imprisonment at all, much less imprisonment with hard labour. There was no corrupt practice that was more elastic in its definition or interpretation than undue influence. It might mean anything that a Judge chose. Expressions used professionally might be construed into undue influence, although they might have comparatively harmless application. What difficulty was there in meeting the various classes of cases? Why should not the Attorney General have pointed out and made a distinction, as he had already promised to make a distinction in the 4th clause, with reference to bribery? There was no difficulty in saying that a person found guilty of treating or undue influence should be liable to a milder punishment than those found guilty of bribery. Though the Amendment now under consideration was not so comprehensive as the one which he had placed on the Paper, it was one which deserved support.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he hoped the Committee would observe they were not now dealing with the question of punishment, or whether there should not be imprisonment with hard labour for undue influence. What they were dealing with was whether the offence should be punished at all; and what was proposed was that the candidate should be unseated, but that his agent should go free, even if he exercised as much undue influence as he pleased. The hon. Member for Londonderry (Mr. Lewis) had spoken about the severity of the punishment. They did not admit that treating or undue influence was always in its character a minor offence to bribery. There were many cases of undue influence quite as serious as cases of bribery. It was suggested that discretion as to punishment should be left to the Judges. Technically, a boy who put his hand through a window and stole an apple was liable to penal servitude for life; but no Judge would think of passing such a sentence in such a case.

MR. EDWARD CLARKE said, it would have been well if the Solicitor General (Sir Farrer Herschell) had made these obversations an hour ago, when the previous Amendment was under consideration. The hon. and learned Gentleman had just said that the law left such very great power to a Judge as to punishment that he might sentence a boy who had done a certain thing to one day's imprisonment, or to a long term of penal servitude. The very Solicitor General who said this had, a short time ago, argued against any extension of the power of the Judges.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, in this case the Judges would know the facts; but in the case which might have arisen under the previous Amendment they would not know the facts.

MR. CALLAN said, it was a regrettable circumstance that the Law Officers of the Crown did not leave the conduct of the Bill in the hands of the President of the Board of Trade (Mr. Chamberlain), and the President of the Local Government Board (Sir Charles W. Dilke), both of whom seemed to have a more practical knowledge of the law than either of the hon. and learned Gentlemen, and certainly they were more imbued with the spirit of justice and fair play than either of the Representatives of Justice in the House of Commons. The Solicitor General said there were many cases of treating which were much more gross and criminal in their character than cases of bribery. Would the hon. and learned Gentleman give the Committee one or two examples? He (Mr. Callan) supposed the Solicitor General could furnish examples from the experience of some near neighbours of his on the Treasury Bench.

And it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Monday* next.

[*Eighth Night.*]

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDER OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LOCAL GOVERNMENT BOARD (IRELAND).—RESOLUTION.

Colonel COLTHURST, in rising to call attention to the failure of the Irish Poor Law in dealing with exceptional distress; and to move—

> "That, in the opinion of this House, the Local Government Board in Ireland should have powers to deal with exceptional distress similar to those enjoyed by the Local Government Board in England, and the Board of Supervision in Scotland; and, further, that Boards of Guardians in Ireland should have the same discretion with regard to outdoor relief that Boards of Guardians have in England, subject to the control of the Local Government Board,"

said, he would ask the House and the Government to approach the consideration of the question in the spirit in which the late Chief Secretary for Ireland declared, two years ago, it ought to be approached—namely, that the burden of proof should lie upon those who defended the perpetuation of the present differences in the law of the two countries. He could not better describe the powers, or rather the want of powers, of the Local Government Board in Ireland, than by using the words of Dr. Hancock, the eminent statistician, who said—

> "All the English officials who represent the Crown in Ireland are deprived by Statute of the most important powers vested in the Local Government Board in England."

The number of persons in receipt of outdoor relief in Ireland in proportion to the population bore a proportion of little more than one-half to what it was in England and Scotland; and the rates, taking them as a whole, were, in comparison with the rates charged in England and Scotland, moderate, if not low. This question of outdoor relief had often been brought before the public opinion of Ireland by eminent men. Unfortunately, when the Local Government Board was constituted in 1870, or 1872, its powers of relieving the poor were strictly defined by Statute, and no discretion was left to them; so that in 1879 the Government had to come to the House for temporary powers to relieve exceptional distress, and as the hon. Member for the City of Cork (Mr. Parnell) had since said—

> "Boards of Guardians had been so long educated to a dread of outdoor relief that, as a rule, they used the powers entrusted to them in 1879 and 1880 most sparingly."

There were distressed districts where the rates in that period were as low as 1*s.* in the pound. Coming, however, to the present distress, he might say at once he had no fault to find with the Local Government Board. Its permanent officials were gentlemen of great official experience, and were Irishmen intimately acquainted with the circumstances of the country; and he had no doubt that they had done their best with the means at their disposal. What those means were he would endeavour to show the House. Last autumn, after the Government had declared in that House their determination to deal with the impending distress by means of the Poor Law, the Local Government Board issued a Circular to the Guardians recommending that stores, bedding, &c., should be provided. That Circular, he believed, remained a dead letter, because the Local Government Board which issued it, and the Guardians who received it, knew that the people would not go into the workhouse. The Board issued another Circular reminding the Guardians that the responsibility of relieving the poor rested upon the Guardians and not upon them. That was perfectly true, if the Guardians had received powers to act. Various Reports had been presented to the House from the officers appointed to inspect the different distressed districts; and though he was inclined to think that they under-estimated the distress, yet, for the purposes of his argument, he would accept their testimony as accurate. On the strength of those Reports it was plain that, beginning with Donegal and going down to Kerry, it would be found that the giving of outdoor relief was almost *nil.* There were two or three distressed Unions in Mayo, and two Unions in Sligo, where the Inspectors reported the Guardians had authorized the giving of provisional outdoor relief. He thought those Guardians deserved great credit for using the only means within their power of relieving the distress; but it was manifest to people acquainted with Ireland that the giving of outdoor relief, from week to week, without employing a labour test, was open to abuse, and could only be defended on the ground of necessity. Perhaps many Members would be inclined to say that the rates in the distressed districts must be very high, and that if the Poor Law had been used as a source of relief the ratepayers would have been swamped. What were the facts? He found from a recent Report of the Local Government Board that, excepting four Unions, the rates had not exceeded 3*s.* in the pound; in Dunfanaghy the rate was 1*s.* 5*d.*; in Clare and Sligo 1*s.* 6*d.*; in Donegal the Poor Law had scarcely been called into operation. Private charity had occupied its place. That was a very deplorable fact. It was an unfair burden to cast upon private charity. They had the experience of 1879-80 before them, showing that when private charity was employed, not as an adjunct to the Poor Law, but as a substitute for it, the effects were deplorable. Everybody's hand was out, and the most painstaking distribution could not prevent the money being given very often to the most clamorous instead of the most needy. What would have been the case if this distress had occurred in England? He hoped the House would remember that the Local Government Board in Ireland had no more power of providing relief than any person passing along the road. In England, at the present moment, one-third of the Boards were under the regulation Order, and had the power of giving outdoor relief under the labour test. The remainder were under the prohibitive Order, which did not allow outdoor relief. But the Local Government Board had power to remove the prohibition Order from any of these districts and place it under the regulation Order. He was told on the best authority that the Boards of Guardians in England which were under the regulation Order endeavoured to restrict their expenditure as much as possible. This proved that the possession of power to give outdoor relief did not necessarily lead to its abuse. What would be the action of the English Local Government Board in face of exceptional distress? They could only judge of that by seeing what its action was in the Cotton Famine in Lancashire. Then the Poor Law was used as the main source of relief for the distress until private charity stepped in. The rates went up to 3*s.* in the pound, and the workhouse test was prohibited, and then a rate made was struck upon the whole of Lancashire. It was always said that the English poor relief system was demoralizing; and the Chief Secretary had stated that he would rather legislate in the direction of assimilating the English Poor Law to the Irish than of making the Irish similar to the English. But let them take the state of the Scotch Poor Law, which was far more rigid than the Irish system, and when exceptional distress came let them see what was the action of the Board of Supervision. During the distress in the south-west of Ayrshire in 1878 a Memorandum was issued directing that in the cases of persons really destitute, and who might, if deprived of relief, become infirm, immediate relief should be afforded, if the Inspector was of opinion that the Sheriff would endorse his action. Therefore, although an able-bodied man might not be entitled to relief, yet it was considered justifiable, if there was danger of a person becoming infirm through being deprived of relief, to administer relief. These instructions had been observed within the last few weeks in the Islands on the West Coast of Scotland. Now, he wished the Local Government Board in Ireland had the power, as the Board of Supervision had in Scotland, to instruct the Boards of Guardians, when exceptional distress arose, that no person should suffer; that it would even have the power of coming to the rescue, if not of the able-bodied, at least of the little children. If this power had existed in the Local Government Board, there would have been no occasion for public charity to step in as it had done. In the districts he had been referring to, such as the Dunfanaghy Union, he found the Inspectors were now taking credit for the large amount of charity given by Mrs. Power Lalor to the children, and also for the great quantity of seed provided by the charitable Society of Quakers. Now, while all that money was being expended, he believed it was a fact that the rates of the Dunfanaghy Union never exceeded 1*s.* 5*d.* in the pound. Passing to the next portion of the subject, he might say that his object was to get the power of granting outdoor relief to certain non-able-bodied classes assimilated in Ireland to that in England. He did not put forward his proposal as a panacea for the relief of distress; but he wished the Central Body in Dublin, who had the power, to impress on the different Boards throughout the country the awful responsibility they would incur if they refused to exercise such powers where the necessity arose. There were six classes of non-able-bodied persons in England who were entitled to outdoor relief, and were not so entitled in Ireland. He did not intend to go through them all; but he might mention that in England a family was entitled to receive outdoor relief if one of its members was sick, while in Ireland it was only when the head of the family was ill that the relief could be given. He could not imagine any excuse for the exclusion in Ireland of these six classes —at any rate, the burden of proof lay with those who favoured the exclusion. There was a question he did not intend to touch in that discussion, and that was the question of Union rating. It was not that he underrated the importance of the question, for he believed it was the A B C of Poor Law reform in Ireland; and that, while the present electoral system continued, it would be almost impossible that outdoor relief could be properly distributed; but as Her Majesty's Government had declared their intention of dealing with the matter he did not consider it necessary to discuss it at present. He hoped, however, that when the Government came to deal with the question of Union rating they would deal with it in a complete manner, and that there would be no attempt to exclude outdoor relief from its operations. The hon. and gallant Gentleman concluded by moving the Resolution of which he had given Notice.

Mr. MOORE, in seconding the Resolution, regretted that he could not join with the hon. and gallant Member for Cork County in the tribute he had paid to the Local Government Board. He regretted to say that his experience as Chairman of a Union was that, whenever any change was proposed for the benefit of the poorer classes, the Local Government Board was found to be an obstacle. He congratulated the hon. and gallant Member on having made the first real onslaught on the co-existing system of Irish poor relief, which, in his opinion, was wholly objectionable, disastrous, and demoralizing. Much had been said in that House about the demoralizing effects of outdoor relief; but he, for one, thought that while the scum of each district was gathering into the workhouses, to ask the respectable poor, when requiring relief, to enter there was the very height and essence of demoralization. The Poor Law system, in his opinion, ought to be one of leniency and humanity for those classes that had claims on society—the respectable poor, the infirm, and the lunatic poor; but these were the very classes which were notoriously neglected, while the Irish workhouse was made a pleasant home for those who were able to work but were too vicious to do so. [Mr. Thorold Rogers: Hear, hear! and in England too.] Workhouses were mere refuges, in some cases, for the persons who led evil lives, and, in other cases, able-bodied paupers who were too lazy to work, and who, not possessing a spark of honourable ambition, were content to live in the workhouse all their lives; and, so far from making the rules in these cases more lenient, he thought a more stringent control than at present existed was required. But, in his opinion, the present powers for dealing with exceptional distress were altogether insufficient; and there was no doubt that were it not for the great flow of charity from England, America, and Australia, and from nearly every country throughout the world, many persons would have died under the existing Poor Law system during the distress of 1879. There was no question that the Irish people had the strongest possible objection to enter the workhouse. Many of them would rather starve than enter. Neither would they allow their children to associate with those in the workhouse schools. These objections he, for one, regarded as a praiseworthy and an honourable feeling; and until they reformed their workhouses, until they made them something besides nests of shame and degradation, until they adopted some better classification for separating the good from the bad, the innocent from the criminal, it was most natural that such a feeling should continue to exist in the breasts of the people. The first step in that direction was to appoint a Minister having a seat on the Treasury Bench to represent this and some other minor Departments, who could be held personally responsible for their administration. A great many abuses occurred now, which, if they were brought under the notice of the Chief Secretary, would receive attention, and would be properly inquired into. This, however, was not what was wanted; and they could not rouse into life the dormant authorities —these extinct volcanoes such as the Local Government Board and the National Board of Education—into a proper life, until they had some practical representation in the House of Commons.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Local Government Board in Ireland should have powers to deal with exceptional distress similar to those enjoyed by the Local Government Board in England, and the Board of Supervision in Scotland; and, further, that Boards of Guardians in Ireland should have the same discretion with regard to outdoor relief that Boards of Guardians have in England, subject to the control of the Local Government Board,"—(*Colonel Colthurst*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. THOROLD ROGERS said, that the House was under a great obligation to the hon. and gallant Gentleman for bringing the subject under its notice. He entirely agreed with him that the Irish Poor Law system had altogether broken down. He believed that the principal part of the misgovernment of Ireland lay in the fact that the whole of the functions of government were crowded into the hands of one official. He thought the hon. and gallant Member had hit the right nail on the head when he pointed out that the right hon. Gentleman who was entrusted with the administration of Irish affairs was the whole Irish Cabinet in himself, who had to look at every question that referred to the good of Ireland, and, perhaps, sometimes to the bad. His right hon. Friend was the hardest-worked man in the Government; and the work he had to perform was sufficient for half-a-dozen men well acquainted with the differences of race, custom, and the variety of other things with which it was absolutely impossible for one man to grapple satisfactorily. The fact was that the Irish people, in their connection with the Imperial Government, lived under a *régime* which was more suitable to the Reign of Queen Anne than to the present day. In his experience the best course was, while the central authority laid down hard-and-fast rules, for the local authorities to modify those rules, as far as they could, to suit special circumstances. He had had special experience as a Poor Law Guardian in a district where there was an exceptional amount of pauperism — he meant the City of Oxford. There was a period of activity extending over only five months in the year, and the remaining seven months were generally inactive. Wages were low, and the difficulties with which they had to contend were aggravated by the indiscriminate almsgiving of kind-hearted undergraduates. The best method of poor relief was to make the area as wide as possible, so as to encourage the most desirable distribution of the population, and enable a wealthy district to supply the wants of the others. It was a most mischievous thing to limit the area too narrowly. Another great principle was to ascertain who, of those applying for relief, had belonged to benefit societies or clubs, or who had worked continuously at the same employment for the same master, and to choose such persons for outdoor relief in preference to others. One of the most marked features which was to be admired in Irish pauperism was the indisposition to go into the workhouse. As long as they had that they need never despair of eradicating pauperism. If there were Ministers in that House who had a real knowledge of the wants of the Irish people the evil would soon be remedied; and if the aim of the Poor Law Department of that country were to mitigate hard-and-fast lines so as to meet individual cases schemes of wholesale emigration would be no longer required. It was sometimes said that the Irish people were extravagant; but when it was considered that for years certain classes took everything out of the country they possibly could, whilst other classes had to work, and did not get what they had a right to, it was not to be wondered at if the people had not all the prudential virtues. He was glad that his hon. and gallant Friend had brought the subject before the House, and he heartily supported his Motion.

Mr. O'SULLIVAN said, he had much pleasure in supporting the Motion of his hon. and gallant Friend. He had taken a very great interest in the working of the Poor Law system for over 20 years, and he had often felt that the great difficulty of Poor Law Guardians was in connection with outdoor relief. He had seen with pain, particularly during the last four or five bad years, large bodies of able-bodied men coming before his Board of Guardians, not asking for relief, but for work. He had seen many others actually in tears as they drew pictures of their wives and children they had left at home without so much as a meal. In no one case did these men ask for outdoor relief, but for work, although, unfortunately, in those bad years of 1878-81, there was nothing for them to do. Many of these men had to break up their little cabins and bring their families into the house; and was it not deplorable that the Guardians had no power to give them temporary outdoor relief, or to inaugurate works of a reproductive character? Some people thought that outdoor relief was a very dangerous power to give into the hands of Boards of Guardians; but his experience was that the difficulty was to induce the Guardians to use such a power even when they had it. It was not a question of too much, but of too little, that was likely to be allowed. In the Union with which he was connected there was no outdoor relief 12 or 14 years ago; but now there were nearly 600 such cases on the books. What would have been the effect if a different policy had been pursued? Why, instead of their rates averaging now 1*s.* 9*d.* or 1*s.* 10*d.* in the pound, as they did, they would have been 4*s.* or 5*s.* in the pound. The amount of outdoor relief given was very small, being generally only 4*s.* or 5*s.* a-week when there was a family of four or five. But in aid of what the family could earn, such relief was generally a substantial benefit. It was just, he maintained, to allow help of this sort to widows with two or more children, or to the head of a family who was disabled by sickness or old age; and, above all, it was the most economical form of administering relief. Besides, when families were sent to the workhouse the pauperism became chronic, as homes were broken up, and the family had no place to fall back upon. In nine cases out of ten, according to his experience, children reared in workhouses turned out worthless instead of useful members of society. They became lost to all shame, and settled down as permanent paupers. He could look back with pleasure to the number of widows in his Union whose children were saved from that fate by the Guardians coming to their assistance with a little outdoor relief. In the workhouses generally no kind of industry was carried on, and the children brought up there were only fit for the prison or the workhouse. He hoped the right hon. Gentleman would see his way to giving the Guardians those necessary powers which they did not possess at present.

Colonel NOLAN said, he regretted that in times of distress the Guardians were not empowered to give work outside the workhouse. The hon. Member for Southwark (Mr. Thorold Rogers) had pointed to the necessity of extending the areas, so that the poor area might be helped by the rich. For his own part, he thought that where there was exceptional distress, and where any rate was raised not specially for the relief of the poor, the burden should be thrown upon the general taxation of the country. Such rates as those for keeping the list of county voters and for carrying out the Contagious Diseases (Animals) Act concerned the whole country, and should be national rates, and not thrown upon the Union. It was a good thing that every poor person should be able to get medical relief; but the charge ought to be thrown upon the general taxation of the country. The return got by Ireland from this great country was very small compared with the amount of taxation which it contributed. He hoped, therefore, the Chief Secretary would hold out some prospect of the Imperial Exchequer contributing a little more to the keeping down of the rates, to which a great many very poor people paid more than their fair proportion.

Mr. O'BRIEN said, that the present system of poor relief in Ireland stood in need of very radical changes. The hon. Member for Southwark had very skilfully diagnosed the disease. Under the present system the unfortunate distressed districts were left to stew in their own juice. He agreed with the hon. and gallant Member for Galway (Colonel Nolan) that in a great crisis there ought to be some mode of levying a national rate. It was impossible for such Unions as those of Oughterard or Glencolumbkill to cope with the destitution existing in them. The Government and their officials seemed to have entered into a conspiracy—or rather an alliance, if it were a more Parliamentary word—to prevent the people from getting any relief, except by means of the workhouse or emigration. In one Union the Guardians kept a huge and immoral establishment for the benefit of 30 aged tramps, and not a single person received outdoor relief during the whole of last winter, though 2,000 of the poorest people of the district were kept alive by the charity of the Irish nation. Latterly, it was true, these Guardians had been compelled to dribble out a few shillings in outdoor relief; but that was only after their conduct had been arraigned in the House, and after they had resorted to all kinds of subterfuges in order to evade their duties. The Local Government Inspectors knew nothing of the people, and had no claim to their confidence, and still less were the Guardians in sympathy with the poor. He cordially agreed with the opinion of many hon. Members, that the system of workhouse relief was one of the most demoralizing devices ever invented for turning honest men into degraded loafers; but, with the present Guardians, and the present Government, he saw no prospect of outdoor relief being properly administered.

MR. O'SHEA said, that the Government laid down the workhouse test, and talked about a great system of emigration, but apparently forgot that, while they talked about remedies, their policy did the utmost injustice to the children of those who were thus treated. He had no hesitation in saying that their method of meeting distress by the workhouse test inflicted absolute cruelty on the children of the poor. Cruelty was a strong word, no doubt; but he felt strongly on this subject, especially when he saw the Government leave their duties to be performed by private charity. He endorsed all that had been said as to the defects of Irish workhouses. Many of them were mere dens of petty jobbery, and were full of people who went into and left them whenever they chose, and used them as free quarters whenever they got tired of work. The Chief Secretary, if his too numerous duties would allow him to do so, might very profitably turn his attention to these abuses, and to the best means of reforming them. He would only add that he was glad to hear the question mooted of a national rate in aid of exceptional distress. It was useless to link together a rich and a poor Union—the best way to relieve such distress was by levying a rate to be borne by the whole country.

MR. MARUM said, he agreed with so much of the Resolution as stated that the poor relief system had broken down in Ireland. That had been predicted in 1830 by Feargus O'Connor, who always opposed its adoption. The difference between England and Ireland in this matter ought always to be borne in mind. Ireland was a purely agricultural country, while England had large commercial resources; and consequently, in England, the basis of taxation was much wider. What would happen even here if the whole burden of supporting the poor were thrown upon the depressed agriculturists? It might be a very comfortable doctrine for the Treasury to hold, that each country should support its own paupers; but if the system of outdoor relief suggested was adopted, and the Treasury refused to share any portion of the burden, in five years' time the land would be swamped, and would be utterly unable to bear the cost of the system. The remedy he would propose would be this—it might not be so comfortable a doctrine for the Treasury Bench—the development of the national resources of the country, an amended Drainage Act, a development of the railway system, and the incidence of local taxation thrown upon the Imperial Exchequer.

MR. J. HOLLOND said, the hon. and gallant Member for the County of Cork (Colonel Colthurst) wished to introduce the English system of outdoor relief into Ireland. He (Mr. Hollond) believed it was the experience of all those who had any knowledge of the administration of the Poor Law in England that, so far from being a good system, it was a very bad one indeed. He believed it was a principle of Scotch law that no outdoor relief should be given to the able-bodied; and in 1878, when the prospect of exceptional distress arose, the Board of Supervision issued a Minute, in which they expressly relegated that class of distress to private charity. What he wished to point out was that the Scotch law did not attempt to cover the whole ground, but left a vast deal of distress to be dealt with by private benevolence. With regard to the system of outdoor relief in England, he would advise hon. Gentlemen to read the Reports of the Poor Law Conferences of the last 10 years. In all those Reports, drawn up by men who had the most intimate acquaintance with the subject, the system of outdoor relief was condemned. As far as the opinions of the Guardians who attended those Conferences went, it might be said that their great object was to get rid, as much as possible, of outdoor relief. He found the same tendency prevailed in the United States. He had before him the proceedings of the Sixth Annual Conference of Charities held at Chicago in June, 1879, and in these a description was given of what was done in New York and Brooklyn, from which it appeared that outdoor relief was given at one time in those places with tolerable freedom; but it was discovered before very long that it was illegal, and the consequence was that the system was stopped. In the winter of 1878, no appropriation for outdoor relief from the city funds was made; and, though many persons anticipated great suffering in consequence, yet those Reports showed that no evil consequences followed. In New York, at the present time, no outdoor relief was given at all from public funds; but the whole of it was relegated to private charity. It was often said that if outdoor relief was not given there would be many cases of starvation. It was difficult to bring this opinion to the test of facts, except in the case of London, in regard to which there were reliable statistics. He found that in 1871 there were 100 deaths returned as deaths from privation in London, while the number of outdoor paupers was 116,554, and the cost of out-relief £374,736. In 1881, 10 years later, he found that the number of deaths from starvation was 54, or nearly one-half of the number in 1871; and not only that, but the number of those receiving outdoor relief was reduced to 48,864, as compared with 116,000 in 1871; while the cost of that relief was £197,596, as against £374,736 in 1871; so that they had this remarkable fact—that while the population of London was increasing, and outdoor pauperism was diminishing, the number of deaths from starvation was also diminishing. Now, he would say one word with regard to Ireland. The Report of the Local Government Board showed that in 1861 £9,675 was spent in outdoor relief in Ireland. In 1871, the amount given in outdoor relief was £69,744. In 1881, it had risen to £182,049. The natural consequence of this state of things, therefore, would be a very heavy poor rate. He believed that if a system of outdoor relief were to prevail in that country the resources of the country must be swamped. His general conclusion was, looking at the case chiefly from the point of view of those who had practical experience of the management of the poor in England, if it was desired to equalize the existing Poor Law, it should be done not by importing the English system into Ireland, but by importing the Irish system into England. He believed that the Irish Poor Law was very much better than the English Poor Law; and it seemed to him that the Motion before the House ran counter to the tendencies of the day, not only in this country, but in all other countries.

Mr. O'KELLY said, that the speech of the hon. Member was an illustration of the saying that figures could prove anything. The hon. Member had cited Brooklyn and New York. But what guide could they possibly be to Connemara? Besides, in Brooklyn and New York immense sums were annually given in private generosity. The hon. Member had not proved that the English system was a bad system, but only that it had been badly administered. All that was wanted in Ireland was that a good system should be well administered; but the Irish system, as it now existed, was little better than an apprenticeship to crime. It prepared women for the streets, and men for idleness and dissoluteness. What Irishmen wanted was a system which would cut at the root of this evil; and if the matter were left to the Irish people they would soon get such a system. They had no objection to Englishmen adopting the Irish Poor Law system; but they claimed in return that they should be allowed to regulate their own affairs in their own way.

MR. TREVELYAN said, his hon. and gallant Friend had brought forward a question upon which he had expended a great amount of industry. The question had excited the patriotic zeal of the hon. and gallant Member, because he wished to extend to Ireland any good thing enjoyed by any of the sister countries. It was evidently thought that the power of giving outdoor relief without a workhouse test was a good thing. With that object the hon. and gallant Member desired to relieve Ireland from the statutory obligation to keep up the workhouse test. He (Mr. Trevelyan) was one of those who thought that Ireland should have the same advantages as England, and England the same advantages as Ireland; but the precise object they should ascertain in the equalization of those advantages was the determination as to which of the two countries was in the most favourable situation. If he could show that England was constantly endeavouring to bring herself up to the level of Ireland in this respect, then the House ought to hesitate before passing a Resolution to the effect that Ireland should be placed back in the same position that England now occupied. Formerly, of the 647 Unions in England, outdoor relief was given in no fewer than 531. Then there was a generally prohibitory Order against giving outdoor relief to the able-bodied, save in very extreme and exceptional circumstances. This Order was applied in theory for a great number of years, but in practice it was not vigorously put into force; 15 years ago £3,500,000 was expended in outdoor relief, and pauperism was found to be rapidly increasing, in consequence, as the Local Government Board thought, of that system. In 1868, accordingly, a general Circular was issued to Boards of Guardians, impressing upon them steadily to adhere to the prohibition against outdoor relief. This was a mild sort of remonstrance, but it produced a certain effect; and from that time the expenditure, although it had not diminished, had not increased. But in 1871 the Board issued a remarkable Paper, in which they enjoined Guardians very rigorously not to give outdoor relief in a single instance to an able-bodied man, or to an able-bodied woman, either with or without illegitimate children; and it went on to lay down very strict rules under which outdoor relief should be granted to families. So strict were these rules that in the Unions under the prohibitory Order outdoor relief to the families of able-bodied men became virtually a thing of the past. That Paper, which was only of five pages, was a closely-reasoned statement of the conclusions arrived at, and reflected the highest credit on the ability and literary skill of the officials of the Local Government Board. It proved that outdoor relief created a terrible and ever-increasing mass of pauperism; and it gave instances of contiguous Unions subject to the same general conditions of which those which maintained outdoor relief contrasted, in respect of pauperism, very unfavourably with those in which the workhouse test was rigorously enforced. This Paper showed how ill-founded was the process by which Guardians imagined that they effected an economy by outdoor relief. It was quite true that a pauper family relieved inside the workhouse cost 10*s.* a-week, while a pauper family relieved outside the workhouse cost only 4*s.* a-week. The Guardians, therefore, imagined that they gained 6*s.* a-week by granting outdoor relief; but the Paper went on to show that while hundreds of outdoor paupers were relieved at a cost of 4*s.* a-piece, directly the workhouse test was applied it was found that the great majority of these able-bodied paupers were men who ought to be at work, and not chargeable on the rates at all. The authors of the Paper summed up their argument thus—

> "The certainty of obtaining outdoor relief in his own home, whenever he may ask for it, extinguishes in the mind of a labourer all motive for husbanding his resources, and induces him to rely exclusively upon the rates, instead of upon his own savings for the purpose of such relief as he may require. It removes every incentive to self-reliance and prudent forethought on his part, and induces him, moreover, to apply for relief when the circumstances are not such as to render him absolutely in need of it."

In 1873 the Local Government Board published, under their auspices, an exceedingly able Paper, by one of their own Inspectors, in which he argued very powerfully about the successful application of the workhouse test to circumstances of special distress. The Report maintained that special conditions of locality, seasons, weather, or population did not interfere with its universal applicability, and that the Poor Law administration had been most successful under the workhouse test system in Macclesfield, Stoke-on-Trent, and other places in times of exceptional distress. Hon. Members might, perhaps, say—"That is all very well; but how about the Lancashire Famine?" With regard to that Famine, he might mention that took place six years before the workhouse test began to be seriously applied in England. In the next place, the Lancashire Famine was a calamity of the same description, and on the same scale over the district to which it extended—although not having the same origin—as the great Irish Famine of 1847-8; and it was certain that a man must be a bigoted theorist who would maintain that the great difficulties existing at the period of the great Irish Famine could have been met in the workhouses. The question at that time was not between the workhouse system and outdoor relief, but between relief works and giving large doles of food to the distressed persons. In the year 1871 the expenditure on outdoor relief in the whole of England was £3,660,000; in 1881 it was £2,660,000.

Mr. T. P. O'CONNOR asked whether the right hon. Gentleman could give the expenditure on indoor relief at the same time?

Mr. TREVELYAN replied, that in 1871 it was £1,520,000, and that in 1881 it was £1,830,000. Thus, while the outdoor expenditure had fallen by £1,000,000, the indoor expenditure had increased by only about £300,000.

Mr. O'BRIEN asked the right hon. Gentleman whether he could give the House any idea of the increase of wealth in England?

Mr. TREVELYAN said, he thought he had met this last observation beforehand. He was not endeavouring to give the House a one-sided view. This saving of £700,000 a-year was made on a population of 3,250,000, larger at the later date than at the earlier; and the idea of the sort of comfort in which people ought to live in workhouses was certainly higher at the later period than at the earlier. That, then, was the saving in money; but what was the saving to the country in the self-reliance of its people? In 1871 there were 1,037,000 paupers, or 46 in every 1,000 of the population. Before that time 1,000,000 was quite an ordinary figure; but since that time it had never reached that amount, and it had gradually and steadily fallen to 800,000, and from 46 in 1,000 to 30 in 1,000 of the population. It was interesting, also, to note the number of able-bodied paupers, because, in a country like England, where every man could get work if he liked, the number of able-bodied men in receipt of relief formed a good test of the amount of idleness and imposture in the Kingdom. In 1871 there were 172,000 able-bodied paupers in the country, whereas in 1881 that number had fallen to 105,000. He could have referred to some very interesting figures showing the diminution of pauperism, especially in the Metropolis; but he thought that he had said quite enough to prove that in England, both in the Metropolis and in the country districts, the diminution in pauperism and in the amount of money spent in poor relief had been in the exact ratio with the strictness of the rule under which relief was given. It might be said that this diminution in the number of paupers, and in the amount spent in relief, might be too dearly purchased if the poor people suffered in consequence. But had there been any increase in the number of deaths from starvation of late years? He would take two periods of three years each and compare them. In 1871 there were 100 deaths from starvation, in 1872 there were 97, and in 1873 there were 107. In 1879 there were 80, in 1880 there were 101, and in 1881 there were 54. And this decrease in the number of deaths from starvation had taken place, although the population of the Metropolis had, in the meantime, enormously increased in number. No more remarkable or more satisfactory figures had ever been read in that House. Scotland was mentioned in the Resolution, and the experience of Scotland appeared to be all in the same direction as the experience of England. Scotland was much slower than England to provide herself with a due equipment and provision of workhouses, and the number of persons in workhouses in Scotland 20 years ago was very much below what they were now. The increase recently had been very large. In 1873 there were 14,300 paupers in the workhouses, and in 1881 there were 15,400. In the case of the outdoor paupers there were 113,000 in 1873, and 95,000 in 1881; so that, while 1,000 had been added to the number of persons relieved in the workhouses, 18,000 had been deducted from those relieved outside. His object was to show that the tendency in both England and Scotland was in the direction of a diminution of pauperism in proportion to the strictness of the rule as to relief; and his contention was that to pass a Resolution of this kind would be to check that tendency. People who had looked into this question had arrived at the conclusion that the Irish poor relief system was an example not to be shunned, but to be followed. What had the Irish system of poor relief done for Ireland? They had heard a great deal of the harm it had done; but it must have been a very great deal of harm indeed to be a set-off against the benefit. In 1849 Ireland was quite helpless, and utterly impoverished. There were 784,000 people in receipt of outdoor relief; and, as far as he could judge, the number showed no signs whatever of diminishing. If the English system had been applied, Ireland would have remained pauperized until this day. Nothing could have saved her but the strictest application of the workhouse test. Did the hon. and gallant Member mean to say that Ireland would have been saved by keeping 750,000 people on outdoor relief? The workhouse test speedily caused the number to fall to 120,000.

Mr. O'KELLY: How many of them died?

Mr. SPEAKER: Order, order!

Mr. TREVELYAN remarked, that he had not interrupted the hon. Member when he was speaking. So successful was this system that in a very short time there were only 50,000 paupers in Ireland either inside or outside the workhouse, and during the next 30 years it might be that Irishmen did not live very luxuriously; but, at any rate, they lived on their own means, not on public charity, and they set a splendid example to the people of this country. In some of the remote districts in Ireland, if the system of outdoor relief were adopted, the inhabitants of whole districts would come upon the rates, notwithstanding that the rate of wages was very good. There were Unions in the County of Tipperary which had never recovered from the evils which had been entailed by giving outdoor relief under the relaxed rule; while in other Unions there had been, no doubt, a very serious amount of jobbery, and particularly was that the case in Strokestown, which had a population of 20,000. On the 16th February the Guardians of that Union obtained authority to give outdoor relief to the able-bodied, and from the 14th to the 28th February the numbers of paupers arose from 421 to 6,615, and within a few months afterwards the numbers rose to 9,800. That was to say, that nearly half the population was in the receipt of public charity. The moral evils were even greater than the financial evils which arose from a relaxation of the rule. It was not the first year or the second year that did the evil, though the first fortnight did a great deal in Strokestown. It was the gradual but sure and certain sapping and undermining of the manlier qualities of the people that was brought about when they came to look upon public charity as a right. If the Local Government Board were to relax the rule which forbade outdoor relief to be given in Ireland, he believed, from that moment forward, the people of Ireland would look upon outdoor relief as a right. If the workhouse test were once remitted, the number of paupers would be enormously increased; and, as it too often happened that once a pauper always a pauper, it was hopeless to attempt to get the number of paupers reduced to its former level. Thus, while in 1879 the number of persons receiving outdoor in Ireland was under 49,000, that number had at once jumped up 20,000 in 1880 on the workhouse test being remitted. [An hon. Member: That was a bad year.] Yes; it was true that it was a bad year; but we had had many years since which were not bad years, and yet the number had never gone down again, and he believed that it would remain where it stood. He was convinced that if the workhouse rule had been relaxed in 1882, the 60,000 permanent paupers receiving outdoor relief would have sprung up to 80,000, or even to 100,000, and have remained there. In 1861 there were 50,000 people living on public charity in the whole of Ireland, while in 1883 there were 103,000; and that increase was due not a little to the relaxation of the rule which took place in 1880, the first time for 30 years. In these circumstances, therefore, speaking for the

Government, he could not accede to, and must vigorously protest against, a Resolution which would make outdoor relief normal, frequent, and statutory. The present Poor Law system of Ireland had brought the country through the distress of recent years; and better times were coming, and better times had come. In the last Report which he had had from the County Clare, he was told that employment was general and that wages were good. In the Report from Mayo and from parts of Galway he was informed that the usual migration of the population to England had not taken place this year in consequence of the high wages which could be obtained at home. In the West Riding of Cork he was told that the prospects of a plentiful harvest had not been so promising for many years, and in other parts of the country notices had been posted a fortnight ago offering 16*s*. a-week wages. The statements quoted were taken from the Report of Dr. Woodhouse, the temporary Inspector. The permanent Inspector said that any man, woman, boy, or girl could obtain employment, if not at home, by going to the more prosperous portions of Donegal. He stated that at the hiring fairs men had obtained board, lodging, and £7 10*s*. for the half-year, and women, board, lodging, and £5; at the Londonderry hiring fair, still higher wages were obtained, and the marked improvement in the general appearance of farm servants was matter of general observation; while emigration to England and Scotland had greatly slackened. This was the condition to which the people were being brought under the new system, which taught them to rely upon their own exertions instead of upon the bounty of the State. It would be a very serious matter indeed if Parliament passed this Resolution. In the district referred to good wages could be obtained by those who were willing to work; and yet a single individual—the Rev. Mr. M'Fadden—hostile to the Poor Law system, brought up bodies of 400 and 500 claimants for relief, and endeavoured to represent as tyrants honest Guardians who were doing their duty to the best of their ability. ["Shame!"] It was not a shame to say that they were honest and were doing their duty. If they passed this Resolution, they would give men like the rev. gentleman, who were carrying on a struggle against the law, and against the local authorities who were working the law, a triumph which would have very serious results in the district; and they would greatly discourage, by a direct Vote of Censure—it was nothing else—high and low, connected with the local government of Ireland, who had done their best faithfully during the most trying time of the last winter, and the effect in England would be to show to the people who had done wonders in the last 10 years in diminishing the pauperism of the country that Parliament was against and not for them. In the earnest hope that the course which had been adopted by the Irish Government would be approved by the majority of Members, and with the absolute conviction that it was the best course, he earnestly entreated the House not to pass the Resolution so ably and humanely put forward by his hon. and gallant Friend.

Mr. KNIGHT said, that, although a very old Member of Parliament, he seldom addressed the House, nor was it his intention to have done so that evening, had it not been for the very dangerous doctrine that had been advanced by the hon. Member for Brighton (Mr. Hollond), and, apparently, assented to by the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan), that it would be advantageous to introduce the Irish Poor Law system, and a total refusal of outdoor relief, into this country. Having been many years ago Secretary to the Poor Law Board, it was a subject that he (Mr. Knight) had had occasion to study carefully; and he could confidently assert that a more dangerous doctrine could not be advanced. Perhaps the hon. Member for Brighton did not know—though it must be within the recollection of other hon. Members of the House besides himself (Mr. Knight)—that the stoppage of outdoor relief had been fully tried in England, and had signally failed. In 1834, when the amended Poor Law was introduced, the Poor Law Commissioners—"the three Kings," as they were called, of Somerset House—decided on rapidly and almost completely stopping outdoor relief in England, and they worked steadily for several years to that effect. And with what result? Why, only three years afterwards—in 1837—the whole country was in a state of incipient insurrection. The action of the Commissioners was immediately met by the working classes with the great Chartist movement. There was hardly a large town in England at which great bodies of men were not formed into rebellious societies, under the name of Chartists. Their formula included sundry grievances; but the new Poor Law, the stoppage of outdoor relief, the attempt of property to throw off the burden of maintaining the poor, was the primary cause of the whole movement. A man he knew told him that, for several months, he had three cases of muskets in his cellar at Kidderminster, in readiness for the rising that was expected from day to day. The doctrines enunciated nearly resembled those of the first French Revolution; and the worst of it was that among the leaders, as well as among the rank and file, were men of honest and upright views, who felt that the people were being wronged, and who were determined to see them righted. Those who wished to study the state to which the attempt to stop outdoor relief had brought England in 1837 should read Mr. Disraeli's novel of *Sybil.* All Mr. Disraeli's novels were intended as political lessons; and no more admirable lesson of the results of a too stringent application of the workhouse test could be found than in the pages of *Sybil.* The danger was averted by a change in the constitution of the new Poor Law, which was rendered immediately responsible to Parliament, and by a great reversal of its internal policy. Mr. Baines, for a long time at the head of this new Board, was a man of great prudence; and he had the good sense to let the Guardians follow very much their own devices with respect to outdoor relief. In 1841, when he (Mr. Knight) came into Parliament, the irritation caused by the Poor Law Commission was still strong in the minds of the working classes. Poor Law Reform was one of the burning questions of the day. The people were quieted by large concessions to the principle of outdoor relief, and the evils of the contrary system were admirably exposed by the Committee of that House which sat on the malpractices of the Andover Workhouse. New classes were added by Parliament to those who could claim outdoor relief, and great relaxation of the whole Poor Law system followed. The main point was that the discretion of the Guardians was not interfered with; and, for many years, outdoor relief became the rule, in-maintenance the exception. The irritation of the country gradually subsided, and Chartism died a natural death. He was convinced that, if the Gentlemen who attended the Poor Law Conferences, of which mention had been made in that debate, could succeed in their endeavours to stop outdoor relief in England, they would, in a very limited time, as in 1837, bring the quiet and orderly working population of England to the verge of a revolution—to as bad a state as now existed in Ireland, or very nearly so. If they could succeed in introducing into England the Irish Poor Law, they would find the people as much dissatisfied and property as unsafe as in that country. The arguments in vogue at the Poor Law Conferences, if carried to their legitimate end, were opposed to the existence, not only of outdoor relief, but of all Poor Law. It seemed to him almost insanity that such arguments should be used by men of property. He believed that the Poor Laws were the mainstay of the quiet and orderly conduct of the English working classes. They were the real reason why, for more than 200 years, there had been no serious attempt at a revolution in England. They were the reason why Socialism had failed to take root in this country. No other country in Europe had this safeguard against Socialism; and he believed that there was no other country in Europe in which, if the Army and Police were removed, the lower classes would not tear into pieces and divide among themselves not only the landed, but all the property in the country. England was the only country in which the poor had, in their hour of destitution, a substantial hold on the land for their support; and anything that tended to weaken that hold was fraught with danger to the security of property and to the existing order of things. It was not a question of large and small properties. In France the people had the whole of the land divided into infinitesimal portions; but that did not prevent small French landowners from dying of starvation, and of fevers produced by starvation, on their little plots of land when their crops failed. It did not prevent Socialism from becoming rampant in the French towns, and the owners of all property, great and small, from being denounced as robbers by the masses of French workmen who possessed none of it. When the Government with which he (Mr. Knight) was connected as Parliamentary Secretary of the Poor Law Board left Office, the right hon. Gentleman the Member for Wolverhampton (Mr. C. P. Villiers) succeeded to the Presidency. The Poor Law of 1834 had been in operation for 25 years; and he (Mr. Knight) believed that, for some time past, it had been working well. The right hon. Gentleman the Member for Wolverhampton thought so too; and, with the permission of the House, he would read a few lines from Mr. Villiers' first Report—the 12th Report of the Poor Law Board. It was dated May, 1860—

> "We are happy to be able to state that, since the Poor Law Amendment Act came into operation, the sum annually expended for relief of the poor has very largely decreased, and that this expenditure is in a diminishing ratio when compared with the population and wealth of the country."

In short, this first Report of the right hon. Gentleman, which was well worth studying, might be taken as conclusive evidence that the Poor Law Amendment Act, for a quarter of a century, up to the time of the right hon. Gentleman's taking Office in 1859, had been economically and, for the most part, successfully worked. The House must recollect that it was under parochial chargeability, and, for the most part, outdoor relief, that it had been thus successful, the workhouse having been mainly used as the means of preventing imposition by persons who were able to maintain themselves, but who refused or neglected to do so. The right hon. Gentleman, however, determined to alter the whole system, and he succeeded in doing so. During his term of Office, he passed several Acts, all tending to destroy parochial chargeability and responsibility. By his great measure, the Union Chargeability Act, which came into operation immediately on his leaving Office in 1866, he bequeathed to the nation a legacy of evil. Since the adoption of the large areas of chargeability the expenditure for the relief of the poor had largely and steadily increased, and in an increasing ratio when compared with the population and wealth of the country. The right hon. Gentleman told them, in his first Report before alluded to, that the average annual expenditure for the relief of the poor, during the last 25 years, had been £5,169,073. That was under parochial chargeability, and mostly outdoor relief. They had now the experience of 16 years of Union chargeability. The exact figures he (Mr. Knight) had not in his hand; but over the 16 years there had been a net increase of 49 per cent in the average annual expenditure, although outdoor relief had been largely curtailed; and he had not the smallest reason to doubt that they owed that increase to the working of the false principles introduced by the Union Chargeability Act. During the last year on record, the year ending Lady Day, 1882, the expenditure amounted to more than £8,200,000, being an increase of 60 per cent over the average of the 25 years before the right hon. Gentleman (Mr. C. P. Villiers) came into Office. One of the worst parts of the present system was the enormous and increasing cost of administration. Of the large sum of £8,200,000 paid by the ratepayers, two-thirds only went really to the poor, one-third of the whole sum being spent in the administration. When he said went really to the poor, he meant the sums spent in in-maintenance, outdoor relief, and the support of lunatics. In fact, out of every 3*s.* said to be expended for the relief of the poor, 1*s.* was paid as the cost of administering the other 2*s.*, and that without including the cost of the Central Board in London and its Inspectors. The struggle of the Poor Law officials to stop outdoor relief recommenced with the great rise in expenditure which was caused by the Union Chargeability Act, immediately after its introduction in 1866. The Poor Law Board found the expenditure increasing year by year; and, rather than acknowledge the mistake they had made in doing away with parochial chargeability and responsibility, they sought to reduce the expenditure by stinting the poor by the refusal of outdoor relief; and they must remember that Joseph Arch had already appeared on the scene. They were very often told that the English laws did not suit Ireland; that the Irish rebelled against them—the real fact being that the Irish had never had the English laws, but only a part of them. The laws in Ireland, as they affected the relations between persons possessed of property, either landed or personal, were the same, or nearly the same, as in England; and he believed those laws had never been objected to by the Irish people. But, to the really poor in Ireland, the English laws were only laws of repression. The only occasions in which a poor Irishman came into contact with the English law was when it interfered to prevent him from doing something he wished to do, to make him pay something he was unwilling to pay, or to punish him for doing something that he had very likely been taught to consider was no crime. Compensation the English law offered him none. A really efficient Poor Law was more wanted in Ireland than in England, because so much larger a portion of the population were paupers, or on the verge of becoming so. When they read of meetings of thousands of Irish farmers being addressed by some of the hon. Gentlemen below the Gangway, they ought to remember that they were, in no sense, what they would call farmers in England. The great majority were very poor men, who rented rather large potato gardens, and whom a failure of the potato crop would, at any time, reduce to the rank of paupers. And for those men the English law was of no avail. The Poor Law, as it existed in Ireland, was not such as the English poor would accept, or with which the Irish poor had reason to be satisfied. He believed that if 100 years ago the English Poor Law had been introduced into Ireland in its integrity, and the Irish poor had been given the same hold on the Irish land, in seasons of famine and distress, that the English poor had on this side of the water, they would not have seen a right hon. Member rising on the Radical Benches and branding a number of Irish Representatives on that (the Conservative) side of the House as rebels. In order that the House might understand the hold that the poor man in England had on the land, he would give the House an instance, within his own recollection, that they might compare the position of the English and Irish poor. He would show that the first-fruits of the land were, in cases of dire emergency, the heritage of the English poor—their claim amounted, in times of real distress and famine, to no less than the whole produce of the land. His (Mr. Knight's) father had very considerable property in the parish of Bromsgrove. Bromsgrove then contained a large working population, employed at certain large woollen mills worked by water power. That water power was superseded by steam, and the trade left Bromsgrove and went to the North of England, and the workmen and their families were brought to a state of destitution. For one year he remembered that the poor rates rose to 20*s*. in the pound. The English Poor Law gave the poor man in his extremity the whole fruits of the land. Looked at fairly, it was not difficult to see why Socialism had failed to take root in England as in other European nations——

Mr. SPEAKER: I must call upon the hon. Member to address himself to the Amendment before the House.

Mr. KNIGHT said, he thought he had been doing so, but would say no more.

Mr. T. P. O'CONNOR said, he was very sorry that the hon. Gentleman who had just addressed the House had not felt himself entitled to proceed with his address, because he (Mr. T. P. O'Connor) was quite satisfied that everybody in the House had listened to the hon. Gentleman's remarks with great pleasure, and with a strong feeling of gratitude, because the sentiments uttered by the hon. Gentleman did great credit indeed to his mind and heart. He (Mr. T. P. O'Connor) did not intend to follow the right hon. Gentleman the Chief Secretary in the speech he had delivered. Indeed, he might say that he felt quite incompetent to undertake the task, because the speech of the right hon. Gentleman was of very marked ability indeed, and the right hon. Gentleman had carefully considered the facts of this most important problem. He was quite willing to admit—indeed, he felt perfectly sure—that the policy which the Chief Secretary had preached and practised on this question was a policy at which he had honestly arrived after very careful consideration. The only reason why he (Mr. T. P. O'Connor) felt justified in rising now was this—that some of his hon. Friends were of opinion the observations of the right hon. Gentleman—especially in regard to the district of Gweedore, ought not to be allowed to pass without a word in justification of the Rev. Mr. M'Fadden. It was suggested that the Rev. Mr. M'Fadden had prevented the poor people with whom he was connected from getting the work offered to them. He had received a statement from the Rev. Mr. M'Fadden himself justifying the course he had considered it necessary to pursue in reference to the matter. He should have thought, however, that the right hon. Gentleman would have felt that Father M'Fadden was entitled to gratitude from him for the extraordinary exertions he had made during the past three or four months to keep the people of the parish from starving. He challenged the right hon. Gentleman to deny that if it had not been for the exertions of Father M'Fadden—this most estimable, hard-working, and honest priest — a large number of these poor people must have succumbed. His hon. Friend the Member for Clonmel (Mr. Moore) invited him to ask the Chief Secretary how much money Father M'Fadden got from the City of London alone for the purpose of distributing it in charity amongst these people. There was, however, another point he wished to address to the right hon. Gentleman. The right hon. Gentleman spoke of the Board of Guardians of Gweedore in very strong terms of praise; and he would ask the right hon. Gentleman whether he (Mr. T. P. O'Connor) was rightly informed or not, when he said that the Local Government Board called on this Board of Guardians, to which the right hon. Gentleman had given such unqualified praise, to give outdoor relief in certain cases, and that the Board of Guardians refused to do so? If that were so, it would appear that the Board of Guardians were a great deal more harsh than the Local Government Board professed to be themselves. In point of fact, the Board of Guardians which the right hon. Gentleman had praised had carried out the policy of refusing to give outdoor relief a great deal more strictly than the Local Government Board themselves. The right hon. Gentleman attributed this strict carrying out of the policy of the Government to the honesty and public spirit of the Gweedore Board of Guardians. If his (Mr. T. P. O'Connor's) information was correct, he must attribute their conduct to motives a little more mundane. Was it, or was it not, the fact that the Board of Guardians consisted almost exclusively of landlords, or of the representatives of landlords; and if this Board of Guardians refused outdoor relief to these people, was it not the more rational conclusion to suppose that their refusal was not due so much to public spirit as to the contents of their own pockets, and to the knowledge that they would suffer by relieving these people? The second point he wished to ask was this. The right hon. Gentleman had not attempted to deny that there was a large amount of severe distress, during the winter months, at least, in the parish of Gweedore, and that a large number of people required relief. The right hon. Gentleman would not deny that Father M'Fadden distributed a considerable sum of money for the purpose of relieving the people; and he (Mr. T. P. O'Connor) did not think that the right hon. Gentleman would be prepared to say that this reverend gentleman was foolish or wicked enough to distribute it to people who were not in want of it, and who were not face to face with starvation. He believed the fact was that a large number of people in the parish of Gweedore would have starved, but for the charitable assistance rendered by Father M'Fadden and some of the landlords; and the very members of the Board of Guardians whom the right hon. Gentleman praised so highly were at this moment proceeding for the recovery of rent against persons who had only narrowly escaped from starvation. The right hon. Gentleman would, no doubt, be astonished when he (Mr. T. P. O'Connor) informed him that the pressing landlords were the very Board of Guardians whom he had been so warmly praising. He did not know whether these facts were new to the right hon. Gentleman; but he was inclined to think that, unless they were, the right hon. Gentleman's praise of the Board of Guardians would have been somewhat more stinted than it had been. The right hon. Gentleman, in drawing his analogy, forgot the first essence of all analogies—namely, that the circumstances should be exactly the same; because any argument drawn from analogy was obviously fallacious, unless the circumstances did happen to be the same. The right hon. Gentleman said that the people had an opportunity now of getting work at moderately fair wages; but did the right hon. Gentleman know that there were a large number of families in the district of Gweedore who had no bread-winners left, and who, therefore, could not earn wages? Father M'Fadden—and this was the gentleman who was spoken of by the right hon. Gentleman as preventing the people from working—said in a recent letter—

> "I have a system of employment going on through the parish by which those who can work earn the little dole charity enables me to give. There are over 100 families that have no one to work, and to these I supply a little every Wednesday, without asking for anything in return."

So that this reverend gentleman, instead of preventing the people from going to employment, actually insisted upon their giving some portion of their earnings towards the charity he was distributing. Of what avail was it to them that water works were being constructed at Ballymena? Could women with two or three young children go there? The right hon. Gentleman said that his policy had succeeded, because there was a good crop coming, and because better wages could be got in the event of a good crop; but it was not the policy of Her Majesty's Government that had produced a good harvest. A bounteous harvest might be expected; but supposing that wages were more promising now; supposing that everything the right hon. Gentleman said turned out to be true, and that before three or four months had passed the people of Ireland would have a prospect of good wages, he would ask the right hon. Gentleman at what cost had this been brought about? How many of these people, during the last three or four months, had been compelled to live upon the charity which Father M'Fadden had given to them? He would ask the right hon. Gentleman how many of these people were now in a position to earn these wages, and to reap the harvest which Providence was giving to them? There was no use in the people having a good harvest to reap after they were dead; and that would have been the result of the policy of the Government, had it not been obviated by the exertions of Father M'Fadden. He (Mr. T. P. O'Connor) had another letter which he wished to read to the House. He wished, however, to suppress the names for obvious reasons. It was addressed to a widow, and the writer said—

> "I have been instructed by ——, to apply to you for payment of the amount of ejectment decree against you with costs of same; and, if not paid on or before the 16th instant, my instructions are to instruct the Sheriff to take immediate possession of your holding under the decree,—Yours truly."

And then followed the name of the agent. The letter was addressed to a widow, who, with her children, would have been in her grave but for Father M'Fadden. An hon. Friend near him told him another fact in connection with the case—namely, that this widow was one of the persons who had had to take advantage of the Arrears Act, and to pawn the last piece of furniture in her cabin in order to raise the year's rent necessary to satisfy her landlord. He thought the impolicy of the refusal of outdoor relief would have been likely to have become impressed upon the right hon. Gentleman from his own experience in his visit to the West of Ireland. Unfortunately, the policy of refusing outdoor relief was intended by the Government to work hand in hand with the policy of emigration. He had received, within the last two or three days, an American newspaper giving an account of some emigrants who had recently landed in that country. All the newspaper accounts agreed in saying—even the Correspondent of *The Daily News*, who quoted from the report of the supervisors of emigration—that the emigrants who had recently arrived in America were of a class who, if we wished to send them, America was quite ready to receive as many as Ireland could send. They were persons well dressed, well-fed, stalwart in frame, and with a certain amount of money in their pockets—that was to say, they were persons who might well have stayed in Ireland, and did not consist of that class of persons for whom emigration was an advantage. His hon. Friend the Member for the County of Clare (Mr. O'Shea) took a stand against the Government on account of the treatment of children, and asserted that many of them would have been in a position of absolute starvation if it had not been for the charitable efforts of persons in that country. In some of the districts there would have been no alms whatever, but for the aid of charitable associations, such as the Society of Friends. A good deal of the speech of the right hon. Gentleman the Chief Secretary was characterized by less than his usual lucidity. As far as he could see, the right hon. Gentleman did not deal at all with the Motion of the hon. and gallant Member for Cork (Colonel Colthurst), which was not that outdoor relief was a good thing, or that it should be universally adopted, but that it should be resorted to only under exceptional circumstances like the present, and that some such system ought to be at the disposal of the Boards of Guardians. A short time ago he had met an hon. Friend, whose absence from the House at the present moment he much regretted—Mr. A. M. Sullivan, the late Member for Meath—and he must say that at that time he did not feel so strongly upon this question as he did now, and he was not able to answer all the arguments in favour of an exclusive system of indoor relief which the right hon. Gentleman the Chief Secretary had put forward. But Mr. A. M. Sullivan brought several facts home to him, and made him understand the intense feeling which he—Mr. Sullivan—entertained upon the subject. In the book which Mr. Sullivan had written he had gone through the period of 1846, 1847, and 1848—a period which overthrew all the theories, even according to the right hon. Gentleman himself. The present condition of Ireland was almost as bad as that of 1847 and 1848. Mr. A. M. Sullivan told him that in the Union of Bantry a woman went into the workhouse 25 or 26 times a-year. She went in for a purpose he did not care to mention to the House. The purpose of the woman was, however, brought before the Clerk of the Union, who was asked to lay the facts with regard to her infamous character and trade before the Board of Guardians. The facts were laid before the Board of Guardians; and the next time she went there on her mission for the purpose of bringing out some innocent girls from that establishment, in spite of the information supplied to the Board by the Clerk of the Union, backed up by positive proof, the woman was admitted, and the word "admitted" stood after her name in the books of the Bantry Union to the present day. In all the districts of the South of Ireland, where the distress raged most, in the Famine years there were families in which there had been a time of shame to remind them of even a more terrible and more dangerous evil, in the blot which had fallen upon the honour of the family in consequence of the necessity they had been under of placing young girls within the walls of the workhouse. These were horrible recollections, which still remained in the West of Ireland; and it was such reminiscences that gave the people that feeling of loathing and abhorrence of the workhouse which prevailed in their minds. It was a feeling that ought to be encouraged, and not repressed; and he was sorry to see the Government doing their best to break down that honest abhorrence of the system which now existed by insisting that everybody who needed relief should enter the workhouse.

Mr. BIGGAR said, the hon. and gallant Gentleman opposite (Colonel Colthurst), in his opening speech, said that he did not look upon the Motion as a panacea for all the evils of Ireland. His hon. and gallant Friend fairly argued the case on its merits, without the slightest heat or exaggeration; and it seemed to him (Mr. Biggar) that the balance of argument was strongly in favour of the hon. and gallant Gentleman. It was all very well for the right hon. Gentleman the Chief Secretary to argue the question entirely upon general principles. In point of fact, the right hon. Gentleman entirely begged the question at issue. He had discussed the question of Poor Law relief entirely upon general principles, and on the average of good and bad years, without taking the slightest notice of the Amendment moved by the hon. and gallant Member for Cork (Colonel Colthurst), which turned entirely upon cases of exceptional distress. In cases of exceptional distress the balance of argument was entirely in favour of outdoor relief. The right hon. Gentleman had spoken of the number of outdoor paupers who existed in 1849; but did not the right hon. Gentleman know that a great portion of the people from whom outdoor relief was taken immediately after 1849 died from the effects of fever and the effects of the falling-off of outdoor relief. A convenient way for English economists to get rid of Irish paupers was to starve them to death; and then they were able to say that the roll of paupers was less than it was formerly. That was the usual way in which the English officials dealt with the sufferings of the Irish people. The right hon. Gentleman spoke of the number of men who might have been put to work as navvies at Ballymena waterworks; but it was quite a burlesque to suppose that these poor persons could have been converted into suitable navvies for such work. These unfortunate people were half-starved; they had never, probably, used a spade of the sort used by the navvy in their lives; and what would have been said if they had attempted to work at Ballymena waterworks? They would very soon have been sent about their business, probably before they had been half-a-day at work, and they would have had to march back again, getting food and a night's lodging as they went along. Nevertheless, that formed part of the argument of the right hon. Gentleman. He thought his hon. Friend the Member for the County of Limerick (Mr. O'Sullivan) had conclusively proved that, at a time of exceptional distress, it was desirable to give assistance, in the shape of outdoor relief, to households, instead of bringing those households into the workhouse by starving the people. With a few months' assistance the people forming such households would be able to tide over such distress; whereas, if the households were themselves broken up, there would be permanent pauperism for generations to come, and a race of paupers would be established which they would never get rid of. He would not refer again to the cases which had been pointed out by his hon. Friend the Member for the City of Galway (Mr. T. P. O'Connor). A similar story had been told to him by Bishop Nulty, the Bishop of Meath, immediately after the Famine; but these things were notorious in Ireland, and he thought the balance of argument was entirely in favour of the principle of the Amendment now before the House. The right hon. Gentleman had referred to the sudden increase in the number of people getting relief from the year 1880 to 1883. But the right hon. Gentleman forgot that there was a fair harvest in Ireland in 1879, and that the people in 1880 were able to live on the small surplus they had put by from the preceding year. They did not feel the distress until that time had passed over; then they became altogether impoverished; and it was most desirable, if they were to live outside the workhouse, that they should get some assistance in the shape of outdoor relief. It was well known that the relief given in any case by the Local Government Board in Ireland was of a very slender nature; but the Irish people were exceedingly frugal; they could live in the meanest and poorest way; and it was desirable, if possible, that they should be able to support themselves. In regard to the question of Union rating, he was himself strongly in favour of it; and, to a great degree, Union rating existed in Ireland at the present moment, because all the charges for the officials were imposed on the Union; and it was notorious that a very large proportion of the expenses of the administration of the Poor Law in Ireland was not the expense of feeding the paupers, but the cost of keeping up the offices and the officials who were employed to look after the paupers. In some of the Unions, where the number of the paupers was merely nominal, there was a large staff of officials who received the rates, and who were not at all illiberally paid. In regard to the question of relief by the Union at large, instead of by the Guardians of a particular electoral division, he was of opinion that it was preferable that it should be given by the Union at large, because in that case it was more likely that the distribution of the funds would be more impartial than if it depended upon the electoral divisions. He knew, in the early history of the Poor Law, that a conflict often took place between the Guardians of each electoral division, as to whether or not a pauper should be charged upon the Union at large or upon the electoral division. It seemed to him there was considerable advantage in charging the cost of all the paupers upon the Union. In many cases the policy of the landlords in the rural districts was to drive the paupers into the villages and small towns; and then in a time of distress the whole brunt of the charge fell upon the ratepayers of such towns and villages, the other part of the district bearing no portion of it. He would remind the House of what took place at the time of the Cotton Famine in Lancashire. The right hon. Gentleman alleged that if Irish paupers got relief in a time of distress they would always continue to be paupers. The right hon. Gentleman evidently forgot what occurred in Lancashire at the time of the Cotton Famine.

The manufacturing operatives there got relief in a time of exceptional distress; but as soon as the distress disappeared they returned to their usual employment, and altogether ceased to be a burden upon the rates. His opinion was that the same thing would apply to the very small farmers and labourers of Ireland, if they got relief for a month or two during an exceptionally bad time, or during a severe winter, before the crops became fit for use. Then, as soon as the period of exceptional distress had passed away, they would find themselves able to support themselves; and, instead of being regular paupers, permanently chargeable upon the rates, they would become quite independent.

Mr. TREVELYAN said, he hoped the House would allow him to make a personal statement. The hon. Member for Galway (Mr. T. P. O'Connor), like all eloquent speakers, had asked a good many questions, one of which he (Mr. Trevelyan) thought he was bound to answer. He was well aware that Father M'Fadden had made laudable exertions during the past winter, and that he had, undoubtedly, got money from many quarters which he had distributed to the great relief of his flock.

Question put.

The House *divided:*—Ayes 82; Noes 24: Majority 58.—(Div. List, No. 149.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENT—ORDER OF BUSINESS—PAYMENT OF WAGES IN PUBLIC-HOUSES PROHIBITION BILL.

OBSERVATIONS.

Mr. WARTON said, he was sorry to have to take up the time of the House on this occasion; but he wished to do so for the reason that he had endeavoured, for the last two or three months, to find an opportunity to draw the attention of the House to a certain matter without being successful. The matter to which he alluded was one of considerable importance. It was a matter involving the right of procedure; and, seeing that the Prime Minister was in his place, he hoped the right hon. Gentleman would give him his attention whilst he dealt with such an important subject. The point he wished to raise was as to Bills brought down from the other House, and it had reference to something which had occurred on the 20th of March this year, which happened to be the last day before the Easter Vacation. On that day a Clerk came down from the House of Lords—a Clerk in a peculiar wig—and brought with him a packet of Bills from the Upper Chamber. He (Mr. Warton) was very much interested in one of the measures which was in the packet—a Bill upon which he felt very strongly—namely, the Payment of Wages in Public-houses Bill. Whether that was a good or a bad Bill was not of the slightest importance in regard to the matter to which he was drawing attention; but being anxious to learn something about it, and to oppose it, and to prevent its too rapid progress through the House, he had gone to the Clerk at the Table—always a most courteous gentleman—with a Notice of opposition in his hand. He had made inquiries of this gentleman, being anxious to ascertain the procedure in regard to Bills brought up from the House of Lords, and to learn it from the right source; and he had been told that, although the Bill had been brought in, no one had moved it. The Clerk was good enough to tell him that his suspicions were correct—for he had suspected that no one had moved the measure. He had naturally concluded from this that the Bill was not being advanced a stage at all. He was aware that it was always customary to give a first reading to a Bill brought up from the House of Lords without opposition; but he had not quite understood—nor did he yet quite understand—how the proceeding was done. He did not know whether the laying of it on the Table constituted a first reading, or whether the Question was openly put from the Chair? If the Question were put openly from the Chair they would know where they were, and would be able to give such opposition to a measure as they wished. However, on the occasion to which he referred, although he had a Notice of opposition ready in his hand, he could do nothing, as nothing seemed to be done with the Bill. When they met again on the 29th March, after the Easter Holidays, what did he find? Why, he found this Notice on the Paper—"Payment of Wages in Public-houses Bill—Second Reading." On this he had appealed to Mr. Speaker; but Mr. Speaker would not assist him. He asked whether it was right that a Bill, of which they had not seen the first reading, should be put down for the second reading on the day following the first reading—for as they could not do anything during the Vacation it was really the day following—and he had been answered in the affirmative. He had asked Mr. Speaker whether, in the spirit of the Half-past Twelve Rule, there ought not to be the same breathing space between the first and second readings, and Mr. Speaker had told him the proceedings were perfectly regular. No doubt that was so; but it was because they were regular, and because they were dangerous, that he wished now to bring the matter before the House. Subsequently, he was told that the hon. Member for Bristol (Mr. S. Morley) had done something or said something—what it was he did not know. The hon. Member might have gone up to the Table, and said he wanted the Bill to be read a first time; but whether he had done so or not he (Mr. Warton) could not say. At any rate, the Question was never put from the Chair. He preserved most carefully the catalogue of Bills as they appeared in the useful list published every night. Well, the list contained, under the head of Bills which had come down from the House of Lords, the name of the Irish Sunday Closing Bill, which had come down in the same packet as the Payment of Wages in Public-houses Prohibition Bill, tied with the very same piece of red tape. It was dated as having came from the Lords on March 20. These two Bills were brought in on the same night, laid on the Table in the same way, and the same thing was done with them, yet one was put down for second reading, whilst a record was simply placed against the other—"Brought from the Lords." He was not able to move a Resolution; but he mentioned this matter in order to induce Mr. Speaker, or the House, or Her Majesty's Ministers, to say something about the Rule adopted, or which ought to be adopted, in this matter. The first reading of these Bills should be put from the Chair, or moved by someone, so that they might know where they were. He drew attention to this matter as much in the interest of the Liberal Party as of Her Majesty's Ministers, because the Liberal Party was now in a majority; but the day might come when they would be in a minority, and when Bills of which they disapproved might be brought up from the House of Lords.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 25th June, 1883.

MINUTES.]—Public Bills—*First Reading*—Local Government Provisional Orders (No. 6)* (122); Local Government Provisional Orders (No. 8)* (123); Drainage (Ireland) Provisional Orders (No. 2)* (124); Local Government Provisional Orders (No. 9)* (125).

Second Reading—Tramways Provisional Orders* (110); Tramways Provisional Orders (No. 3)* (111); Tramways Provisional Orders (No. 4)* (104); Local Government Provisional Orders (Poor Law) (No. 2)* (89); Local Government Provisional Orders (Poor Law) (No. 3)* (99); Local Government Provisional Orders (No. 5)* (100); Local Government Provisional Orders (No. 7)* (102); Local Government Provisional Order (Highways)* (103); New Forest Highways* (101); Forest of Dean (Highways)* (98).

Committee—Sea Fisheries* (83-127); Criminal Law Amendment (69-128).

Report—Marriage with a Deceased Wife's Sister (56-129).

Third Reading—Lord Alcester's Grant* (95); Lord Wolseley's Grant* (96), and *passed.*

CRIMINAL LAW AMENDMENT BILL.

(*The Earl of Rosebery.*)

(NO. 69.) COMMITTEE.

House in Committee (according to Order).

Clause 1 (Short title) *agreed to.*

Clause 2 (Extent of Act).

The Marquess of LOTHIAN, in moving the omission of the clause, which excluded Scotland from the operation of the Bill, said, that he did not admit that the high illegitimacy Returns furnished by that country were any proof of the exceptional immorality which was said to exist there; and, most certainly, they were not proof of the kind of immorality dealt with in the Bill. He thought, upon the whole, the Scottish people were very much like other people, and that the immorality of Scotland was about on a par with that of other parts of the United Kingdom. On that ground, he asked that Scotland should be included in the Bill. He was one of those who thought it very desirable that legislation of this kind should be made applicable, as far as possible, to the whole of the United Kingdom. If a Criminal Act of this kind were made applicable only on one side of the Border, all that those who wished to evade the law, and carry on the hideous traffic in young girls, would have to do, would be to go across to the other side, and carry on that business from that country with impunity. He would move the omission of the clause.

Amendment *moved,* "To leave out Clause 2."—(*The Marquess of Lothian.*)

The Earl of DALHOUSIE said, the noble Marquess opposite (the Marquess of Lothian) had raised very interesting questions. He (the Earl of Dalhousie) did not feel it necessary to follow him in his speculations, but would confine himself to saying that the Government would accept the Amendment.

Amendment *agreed to.*

Clause *left out* accordingly.

Clause 3 (Procuring woman under age to be a common prostitute).

On the Motion of The Earl Cairns, the following Amendment made:—In page 1, line 10, after ("prostitute") insert—

("Or procures or endeavours to procure any woman to leave the United Kingdom, or to leave her usual place of abode in the United Kingdom, for the purpose of entering a brothel abroad, whether he shall or shall not inform the woman of such purpose.")

The Earl of ABERDEEN said, he would propose the insertion of an Amendment, which would have the effect of bringing under the penalties of the Act any person who endeavoured to induce any woman to lead an immoral life, although there might be no fraud.

The Marquess of BATH said, before it was accepted, he would point out that such a Proviso would be the cause of unlimited and unbounded extortion in every direction.

The Earl of DALHOUSIE said, that he would, if it were now withdrawn, consider the subject before the Report; but he could not pledge himself to accept the Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Clause, as amended, *agreed to.*

Clause 4 (Procuring by fraud defilement of girl under age).

On the Motion of The Earl of Milltown, Amendment made, in page 1, lines 16 and 17, by striking out the words ("under the age of twenty-one years").

Clause, as amended; *agreed to.*

Clause 5 (Abusing woman under twelve years of age).

The Earl of MILLTOWN moved an Amendment, applying the penalties of the Bill to attempts to commit the offence specified, as well as to the actual commission of the offence, on the ground of the great difficulty in proving the completed offence.

Amendment *moved,* in page 1, line 23, after ("abuses") to insert ("or shall attempt to carnally know and abuse.") —(*The Earl of Milltown.*)

The Earl of DALHOUSIE opposed the Amendment.

The LORD CHANCELLOR said, he thought the Amendment unnecessary. Attempts to commit the offence were already dealt with by law, and were punishable by two years' imprisonment, with hard labour.

Amendment (by leave of the Committee) *withdrawn.*

The Bishop of ROCHESTER, in moving an Amendment to empower the infliction of corporal punishment upon an offender, said, that their Lordships would be of one mind as to the undesirableness of unnecessarily augmenting corporal punishments, on account of its demoralizing effect; but, in this case, it was useless to consider that objection, for he thought all their Lordships would agree that it would be utterly impossible to further demoralize those who were sufficiently demoralized to be capable of committing a crime of this kind. They had simply to consider what punishment was most likely to deter those who might be disposed to commit the crime, or would be most painful and disagreeable to those who had committed it. Those who were acquainted with the administration of the Criminal Law were of opinion that no punishment was more feared or disliked by criminals than corporal punishment. If that was so, it was the best possible reason for attaching this punishment to this most atrocious offence. At present, it might be inflicted for robbery from the person with violence, and it was credited with having diminished the crime of garotting some years ago. But the crime in question was one that far more deserved that punishment than knocking a man down and stealing his watch. Not long ago, in his diocese, a man attacked a little girl and flung her away in a state of insensibility; and, if that man was scourged to the bone, would it not serve him right? There was, unfortunately, among the lowest class, a superstition as to an advantage to be gained by committing this offence; and that superstition rendered it still more desirable to prevent the commission of the crime by corporal punishment. It was emphatically a poor man's question, as the children of the poor were most liable to become the victims of this crime. For these reasons, he proposed that the Court might adjudge an offender to be privately whipped, "and the number of the strokes, and the instrument with which they shall be inflicted, shall be specified in the sentence."

Amendment *moved,*

In page 2, line 2, after ("hard labour") to insert ("and the court before which such offender shall be tried and convicted may, in addition, adjudge such offender to be privately whipped, and the number of the strokes, and the instrument with which they shall be inflicted, shall be specified in the sentence.")—(*The Lord Bishop of Rochester.*)

THE EARL OF DALHOUSIE said, he fully sympathized with the intentions of the right rev. Prelate; but he thought it would be impossible for the Government to accept the Amendment, seeing that, beyond importing what would be an entirely novel proposition as regarded the law into the clause, persons who were convicted under it would be, as the clause now stood, liable to a lengthened term of imprisonment, or penal servitude for life. Nobody would dream of flogging a man first and hanging him afterwards, no matter what offence he might commit. Yet this Amendment was really a proposal of that nature, inasmuch as by it a man might first be flogged and then sent to penal servitude for life. Perhaps the Amendment might be more acceptable if it had some limits as to the age of the prisoners to be so punished, and as to the number of strokes to be inflicted.

LORD DENMAN said, that that very morning a case had been reported in the newspapers of a boy having been sentenced to six strokes from a birch rod for stealing young ducks; but if the punishment were authorized, it would be necessary to fix the number of lashes to prevent the power being abused. He would, therefore, suggest that the punishment should be limited to 25 lashes.

THE MARQUESS OF SALISBURY said, he deeply regretted that Her Majesty's Government could not accept the Amendment. He should like to know the reason why? The offence was one of the most horrible that could be conceived, the most defenceless class of the community was especially exposed to it, and a widely-spread superstition made it far commoner than it would be. The men who committed it were unable to foresee what was involved in penal servitude for life; but they understood the pain arising from corporal punishment. If ever corporal punishment was a just instrument to be placed in the hands of a law-giver, for the purpose of repressing odious crimes, it was in the present case. Therefore, if the Amendment were pressed to a Division, he should vote for it.

EARL STANHOPE remarked, that the noble Earl who had charge of the Bill had said that—

> "Perhaps the Amendment might be more acceptable if it had some limit of age of the prisoners to be so punished."

He thought that this qualification was most unreasonable; the punishment of flogging was inflicted on persons convicted of garotting, without any limit as to age; persons convicted of an unnatural crime were also punishable by flogging, without any such limitation. Here was a most horrible crime on a defenceless class, which should be punished by flogging; and he sincerely trusted that the right rev. Prelate would divide the Committee on his Amendment, and he, for one, would cordially support him by his vote.

The Bishop of LONDON said, he fully agreed in the Amendment; but he must object to the suggested limitation of age, because flogging was not only more deserved, but was more felt, by a hardened ruffian than by a boy.

Lord BRAMWELL said, he did not think the Amendment imported anything novel into the law, because the punishment of penal servitude for life and a flogging could already be inflicted for highway robbery with violence. If their Lordships only knew, as well as he (Lord Bramwell) did, who the persons were who committed these offences, they would find that, in all probability, the anticipation of a flogging would have a far greater deterring influence upon such persons than anything else; and particularly upon those who committed it on defenceless children under the influence of a detestable superstition.

The Earl of SHAFTESBURY said, he also believed that flogging would have a more deterrent effect than any other punishment. He once took the opportunity to put the question to a number of the criminal classes, and he found that they preferred months of imprisonment to one flogging.

The Earl of DALHOUSIE said, that, seeing the great unanimity that prevailed among their Lordships, the Government were only too glad to be coerced in this matter, and would accept the Amendment.

Lord ELLENBOROUGH said, before the Amendment was agreed to, he must remind the Government and their Lordships of the difficulty which was experienced in "another place," with respect to flogging in the Army.

Amendment *agreed to;* words *inserted* accordingly.

The Earl of MILLTOWN proposed, as an Amendment, to omit the last paragraph of the clause, which empowers the magistrates to exclude the public from the Court during the hearing of a charge.

Amendment *moved*, in page 2, line 2, leave out from !("labour") to end of Clause.—(*The Earl of Milltown.*)

Lord FITZGERALD, in supporting the Amendment, said, he believed that publicity and the pressure of public opinion were necessary safeguards to the administration of the Criminal Law. Women and children could, of course, be excluded, and the Press would not report indecent details.

Earl CAIRNS said, he freely agreed with the noble and learned Lord opposite (Lord Fitzgerald) that they ought to be extremely careful before they sacrificed the great benefits which arose from the publicity of our Courts. At the same time, this was a matter which had been very much considered by a Committee of their Lordships' House; and they came to the conclusion that, in these cases, the injury which would be caused to public morals by the publicity of the proceedings would be greater than any benefits which could be gained by such publicity. It appeared to him that nothing but evil could result from allowing a general concourse of men and women to be present in Court; and if the public were admitted, reports of the proceedings would be published that must be injurious to public morals. He regretted that there were newspapers which published cases that had better be left unreported.

Lord TRURO said, he fully agreed with his noble and learned Friend (Earl Cairns). He (Lord Truro) was of opinion that reports of indecent cases tended to suggest to the minds of uneducated people offences which they would otherwise never think of committing.

The Bishop of PETERBOROUGH, in supporting the Amendment, said, he wished to call their Lordships' attention to the deterrent effect that would be produced on many persons in a superior station in life, contemplating a crime of this kind, by the knowledge that there would be a public trial. It was not an uncommon thing for persons of the upper and middle classes to entreat a magistrate to hear their case in private, because they did not wish their names to be exposed. And the magistrate was often highly praised for refusing that request, on the ground that the dread of a public trial had the effect of seriously deterring a person who contemplated committing an offence. This consideration might be fairly set against the injury to public morals of which the noble and learned Earl opposite (Earl Cairns) had spoken.

The Duke of RICHMOND and GORDON said, it should be remembered that the Bill only empowered the Court, if it should think fit, to order the public to be excluded from the trial. Consequently, a person who committed an offence could not possibly know whether he would be tried in public or in private.

LORD COLERIDGE said, he most earnestly hoped the Government would persevere with the Bill as it at present stood. He doubted whether Courts had any legal rights, although they constantly exercised the power, without any objection being raised, to exclude women, children, and young people from trials for a particular class of offences. The only ground on which women and young men were excluded from such trials was public morality; and why should the Legislature hesitate to give to the Judges a legal power, similar to that which by general consent they constantly exercised, in cases of the kind to which he referred?

THE DUKE OF RICHMOND AND GORDON said, he fully agreed with the noble and learned Lord opposite (Lord Coleridge) that it was desirable that such a power should be conferred in certain classes of cases.

LORD BRAMWELL said, he fully agreed with what had been said by the noble and learned Lord Chief Justice, as to the power of excluding certain portions of the public from hearing particular cases in open Court. On one occasion his learned Colleagues on the Bench and himself considered that very question, and came to the conclusion that they had no power to hear cases in private. He was sorry to differ from his noble and learned Friend (Lord Fitzgerald) on this point; but he could not think that any good was done by hearing in public the class of cases which he had in his mind, of which the details were often of an inconceivably revolting character. He had often seen people in Court gloating over such cases, and he was sure such public trials did infinite harm. He had often charged Grand Juries to the effect that, if they had a doubt about a case of that kind, it was better in the public interest to throw out the bill. The persons who committed those offences were of a kind not to be much deterred by a public trial.

LORD DENMAN said, he believed he voted for the power to hear privately cases in the Divorce Courts. No doubt, the Judges were without that power; but *boni judices est ampliare jurisdictionem.*

EARL CAIRNS said, he hoped that the clauses of the Bill would be clearly arranged, in order to avoid the confusion which often existed in Acts of Parliament when new clauses were introduced.

THE EARL OF MILLTOWN said, he would beg leave to withdraw his Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Clause, as amended, *agreed to.*

Clause 6 (Defilement of girl between twelve and sixteen years of age).

THE EARL OF MILLTOWN said, he thought that the Government was going much too far, and was making that a crime which had hitherto been only considered a moral offence. That clause, moreover, might, and probably would, be made a means of wholesale extortion. Girls of bad character under 16, but looking much older, might inveigle men to accompany them to houses of ill-fame, who, by so doing, although having no intention to do an illegal act, would thereby be guilty of a misdemeanour and liable to two years' hard labour, and have no means of escape unless they consented to pay black mail to the girls or their employers. He moved an Amendment limiting the offence to cases of seduction, and raising the age in such cases to 18.

Amendment *moved,* in page 2, line 12, to leave out ("sixteen") and insert ("eighteen.")—(*The Earl of Milltown.*)

THE EARL OF ABERDEEN suggested that summary jurisdiction ought to be given to magistrates in such cases.

THE EARL OF DALHOUSIE said, that the age of consent was a question of degree. Sixteen was the age adopted by their Lordships' Committee.

THE LORD CHANCELLOR said, that the question was one of the balance of public convenience. The punishment named in the clause was the maximum that could be inflicted for the offence named; and, therefore, it would not be inflicted in cases where there were mitigating circumstances.

Amendment *negatived.*

Amendment *moved,* in page 2, line 12, leave out ("sixteen") and insert ("seventeen.")—(*The Lord Mount-Temple.*)

Lord TRURO said, he maintained that, the law to protect girls under 12, as it then existed, having failed, it was useless to endeavour to protect girls up to the age of 16. He was convinced that they would never succeed in increasing the morality of the country by limitation of age in the way proposed. He thought that they must look for improvement rather to more activity on the part of the police, and to more discreet and careful supervision by parents, than to any legislation of this character.

The Earl of ABERDEEN supported the Amendment, as he thought that at the age of 17 girls were frequently as much in want of protection as at any other time.

Earl CAIRNS said, that it was perfectly true, as the noble (Lord Truro) had said, that the present law with regard to the age of 12 had failed. For that reason, it was proposed to increase the age, and to make provisions of a different kind. In the Select Committee on this subject, the evidence given established a conclusive case of the necessity of raising the age. He (Earl Cairns), therefore, was in favour of making the age 17, though the majority of the Committee had decided against him, thinking that 16 was sufficient.

The Marquess of SALISBURY: My Lords, after reading the evidence on the subject, I confess that I cannot think it would be wise to recommend the House to extend the proposal of the Government in this matter. It is not abstractedly a question of what we should wish to accomplish, if it were in our power to determine absolutely what should pass and what should be enforced. In that case, there would be a great deal to be said for the age of 17. But we should have to face a vast mass of silent, tenacious, immovable opinion. As it is, we have had many difficulties in framing a Bill of this kind, and it is certain that it will meet with very great difficulties in the House of Commons. The higher you raise the age, the greater the difficulties will be of enforcing the law, and the greater will be the dangers of extortion on which so much stress has been laid, and which, I think, would excite very considerable attention. But it is not the difficulties which would be raised in the House of Commons that we must alone consider. There would be much greater difficulties when the Bill came to be dealt with by magistrates and juries. If you go beyond what public opinion sanctions, and attempt to enforce provisions which nature does not seem to justify, there will be insuperable objections on the part of magistrates and juries to enforce the law. It would then fall into desuetude, and all the good you may effect by a more moderate proposal would fail to come about.

The Earl of DALHOUSIE said, he trusted that his noble Friend (Lord Mount-Temple) would not press the Amendment. It was impossible for the Bill to go further than it did in respect of age; for, otherwise, the Government felt that public opinion would not support the measure. If the Bill went further than public opinion warranted, it would make things much worse than before.

The Earl of ABERDEEN said, he thought that a vast change had occurred in public opinion with regard to this matter within the last few years, which made people realize their responsibility respecting it.

The Bishop of CARLISLE said, that a large number of persons had taken a deep and self-denying interest in this matter; and it would be a great disappointment to them if the higher age of 17 were not adopted in the place of 16.

Lord NORTON said, he also, from the evidence he heard on the Select Committee, supported the Amendment, being in favour of the age being raised from 13 to 17. The question was at what age a girl should be considered capable of consenting to her ruin, so as to exonerate the man from the guilt of criminal injury in taking advantage of her ignorance. In other countries it was a much higher age than here.

On Question, "That the word ('Sixteen') stand part of the Clause?"

Their Lordships *divided*:—Contents 140; Not-Contents 23: Majority 117.

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Resolved in the *affirmative.*

Clause *agreed to.*

Clause 7 (Consent no defence to charge of indecent assault on young person).

Lord TRURO moved, as an Amendment, the addition of words providing that, where a solicitation to immorality could be proved against a girl, she should be required to enter into security for good behaviour, or be liable to fine or imprisonment. He observed that solicitation as often came from a girl as from a man, and said that it would not be just to punish a man with severity, and to allow girls who were equally guilty to go scot free.

Amendment *moved,*

> In page 2, line 24, after ("indecency") insert ("and in cases where the solicitation to immorality can be proved against the girl she shall be required to enter into securities for good behaviour or be liable to fine or imprisonment at the discretion of any court, justice or justices, or magistrate.")—(*The Lord Truro.*)

The Earl of DALHOUSIE said that the Amendment did not appear to him germane to the clause. He could not, therefore, accept it.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Lord MOUNT-TEMPLE moved, as an Amendment, after Clause 7, page 2, line 31, to insert:—

> "Any person who, being the guardian of a girl under the age of eighteen years, or having the care and charge of her, or being her master in domestic service or other employment, or a manager, foreman, or lodger, or other person whose lawful commands in such service or employment she is bound to obey, unlawfully and carnally knows or attempts to have unlawful and carnal knowledge of, or indecently assaults such girl with or without her consent, shall be guilty of a misdemeanour, and being convicted

thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years, with or without hard labour."

This was intended to prevent masters from using their power for the moral degradation and ruin of their dependents with impunity.

The Earl of DALHOUSIE said, he would accept the clause.

The Marquess of SALISBURY said, that the age on the Notice Paper had been originally printed as sixteen, and now it was moved to make it eighteen. The proposal might be right; but it seemed a very strong measure to start suddenly on the House so large an alteration of the law.

The LORD CHANCELLOR said, the age of sixteen had been put in by mistake, where eighteen was intended.

Lord MOUNT-TEMPLE said, he would withdraw the clause, and bring it up again on the Report.

Amendment (by leave of the Committee) *withdrawn.*

Clause 8 (Householder, &c. permitting defilement of girl under sixteen on his premises guilty of misdemeanour).

Lord MOUNT-TEMPLE moved an Amendment, with the object of enabling other persons than Inspectors, Superintendents, or officers of police to initiate proceedings.

Amendment *moved,* in page 3, line 6, after ("rank") insert ("or other person.")—(*The Lord Mount-Temple.*)

The Marquess of BATH said, he thought it would be objectionable to give this power to the common informer.

The Bishop of PETERBOROUGH said, that under the Act of George II. any two householders had it in their power to lay information, and thereupon the police constable was required to proceed with the case before the magistrate. But the clause, as it stood, proposed to repeal that portion of the Act of George II., and confined the power to the police alone. It was, in his opinion, of great importance that the power which the two householders had should be retained.

The Duke of RICHMOND and GORDON said, that he differed from the right rev. Prelate (the Bishop of Peterborough). He believed that the Act of George II. would still remain in force.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

On the Motion of The Earl Cairns, the following new clause was *agreed to,* and *inserted,* to follow Clause 8:—

(Abduction of a girl under eighteen years of age.)

"Whosoever shall unlawfully take or cause to be taken any unmarried girl, being under the age of eighteen years, out of the possession or against the will of her father or mother, or of any other person having the lawful care or charge of her, shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the Court, to be imprisoned for any term not exceeding two years with or without hard labour."

Clause 9 (Summary proceedings against brothel keepers, &c.)

The Earl of PEMBROKE said, that these clauses, taken together with the rest of the Bill, constituted an attempt to squeeze immorality out of existence. The only effect of thus shutting the safety-valve on a force which would find some exit would be to defeat the chief objects of the Bill. On the one hand, it would produce clandestine brothels, disguised as shops and places of business; on the other, it would drive vice into the streets, and defeat the provisions of the Bill against street vice. If they had to make a choice between brothels and street vice, there could be no doubt as to which should be chosen; for the one exposed the innocent to temptation, and the other did not. He was not, however, in favour of repealing the existing Acts against brothels, as such places would tend to become nuisances if the whip of the law were not suspended over them.

Amendment *moved,* "To leave out Clause 9."—(*The Earl of Pembroke.*)

The Earl of DALHOUSIE, in opposing the Amendment, said, that the law, as it stood, was wholly inoperative to suppress houses of ill-fame. He was perfectly well aware that the clause gave large additional powers to the police; but it seemed impossible to enlarge their powers at all without going thus far. He did not suppose the police would endeavour to stamp out all brothels, which it was impossible to do; but they would, by this clause, be able to deal more efficiently with disorderly houses.

The Archbishop of YORK said, the comparative security of the houses was in itself as great a temptation as lads were exposed to in the streets; and, therefore, the argument for diminishing temptation in the streets might be applied to the suppression of the houses. A Bill of this kind had been forced on the Government, and its object was to improve morality as far as legislation could do it.

The LORD CHANCELLOR said, his experience was that successful proceedings against houses, when they had been taken in that part of London in which he himself resided, had materially diminished the nuisance of street-walking; but the law, as it stood at present, was unique, and far too cumbersome and irksome to secure its uniform administration.

Earl CAIRNS said, that what the noble and learned Earl on the Woolsack had stated was confirmed by what had been done in the City of Glasgow, where the suppression of the nuisance in one form was followed by its mitigation in the other form of street-walking.

The Earl of MILLTOWN supported the Amendment, contending that the clause was utterly foreign to the object of the Bill. He thought that the testimony adduced showed that the law was sufficient if it were enforced.

The Bishop of PETERBOROUGH, in opposing the Amendment, said, that the speeches against the clause amounted to this—that brothels were half desirable, and, therefore, they should not interfere with them too much; and half undesirable, and, therefore, they should preserve a law which did not interfere with them at all. ["No, no!"] Of course, authors did not like other people's abridgment of their works. But the argument involved the logical conclusion that in the interests of morality the houses ought to be licensed, and distinguished by some conspicuous sign. Those who took practical pains in this matter knew that the existing law was utterly futile and insufficient to cope with the evil, and they ought either to repeal it, or else make its provisions efficient.

The Marquess of SALISBURY said, he must be allowed to express some doubt as to whether the clause would have all the effect its authors imagined or desired it would have. The noble and learned Earl on the Woolsack had remarked that our position with regard to brothels was unique; but he seemed to forget that, in almost every Continental country, they were not only restricted, but tolerated and licensed. Efforts made in other countries and in other times to suppress them had singularly failed. The only result of bringing the police into close administrative connection with these houses would be that a system of toleration and licence would spring up, which, while repressing the more open and disorderly brothels, would encourage clandestine ones. He was also afraid the power conferred by the clause was one which might be used for purposes of private malevolence or extortion. He did not, however, recommend his noble Friend behind him (the Earl of Pembroke) to go to a Division.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 10 (Power to owner of premises to determine tenancy of occupier convicted of keeping brothel) *agreed to.*

Amendment *moved,*

After Clause 10, page 5, insert as a new clause—" Every lease or agreement for a tenancy of any premises shall be deemed to contain, if under seal, a covenant, and if in writing not under seal or by parol, an agreement, by the lessee or tenant for himself and his assigns with the lessor and his assigns, that the premises shall not, nor shall any part thereof during the term, be used as brothel or disorderly house; and any power of re-entry contained in such lease or agreement on breach of any covenant or agreement therein contained shall be deemed to apply to such covenant or agreement as aforesaid."—(*The Lord Coleridge.*)

Lord BRAMWELL said, that the clause lost sight of under-leases and mortgages.

The LORD CHANCELLOR said, that, as he understood the clause, it would be at the landlord's option whether the lease should be voided or not. But it was not clear whether it was the immediate or superior landlord who could exercise the power.

Lord BRAMWELL thought that, if Clause 11 were examined in connection with the section under discussion, it would be seen that the landlord had but little option in the matter.

Lord COLERIDGE said, that, with regard to the criticism of the noble and learned Earl on the Woolsack, he would amend the clause, so as to make it applicable only to immediate lessor and lessee.

The Earl of DALHOUSIE said, he would suggest that his noble and learned Friend (Lord Coleridge) should withdraw the clause, and bring it up again, in an amended form, on the Report.

Amendment (by leave of the Committee) *withdrawn.*

Clause 11 (Power to court on second conviction in respect of same premises to make owner give security) *agreed to.*

Clause 12 (Search warrant for detection of brothel).

Amendment *moved,* "To leave out Clause 12."—(*The Earl of Milltown.*)

The Earl of MOUNT-EDGCUMBE said, he thought that the clause was too wide in its scope, and could hardly pass through the other House of Parliament.

The Marquess of SALISBURY said, he would point out that the clause was most objectionable, as it gave the police power which might be abused, and cause the most terrible injury and outrage to innocent persons, while it would prove useless against those whom it was intended to reach.

The Earl of DALHOUSIE said, he would consent to the omission of the clause.

Amendment *agreed to;* Clause *left out* accordingly.

Clause 13 (Amendment of 2 & 3 Vict. c. 47, s. 54, and 10 & 11 Vict. c. 89, s. 28, as to prostitutes).

The Earl of SHAFTESBURY, in moving an Amendment, with the object of rendering men as well as women liable to punishment for loitering for immoral purposes in any thoroughfare or public place within the limits of the Metropolitan Police District, said, that hundreds of thousands of poor girls who were employed in factories, and who were obliged to be out late, asked their Lordships for protection in this respect.

Amendment *moved,* in page 6, line 13, to leave out ("common prostitute and night walker") and insert ("person.") —(*The Earl of Shaftesbury.*)

The Earl of DALHOUSIE said, he greatly sympathized with the object of his noble Friend (the Earl of Shaftesbury); but he was afraid that the form of words proposed by the noble Earl was open to serious abuse, and that it would enable any woman of bad character to bring charges for the purpose of extortion against male passers-by of having importuned her for an immoral purpose. It would be better, perhaps, if the noble Earl would bring up, upon the Report, a fresh clause calculated to secure his object.

Amendment (by leave of the Committee) *withdrawn.*

On the Motion of The Lord Archbishop of York, the following Amendment made:—In page 6, lines 15 and 16, leave out ("loiters and importunes passengers for the purpose of prostitution") and insert—

("Loiters for the purpose of prostitution or importunes or solicits passengers for the purpose of prostitution.")

On the Motion of The Lord Coleridge, the following Amendment made:—In page 6, line 33, after ("discretion") insert—

("Either sentence her to be imprisoned for any time not exceeding six months with or without hard labour, or may (if in the judgment of the court she is under the age of sixteen years) in addition to or in substitution for any such punishment.")

The Bishop of ROCHESTER moved, as an Amendment, that the age during which a girl might be retained in a reformatory or certified home should be raised from 16 to 18.

Amendment *moved,* in page 6, line 35, to leave out ("sixteen") and insert ("eighteen.")—(*The Lord Bishop of Rochester.*)

The Earl of DALHOUSIE said, he would suggest to the right rev. Prelate that it would be more in order to deal with the point on Report.

Amendment (by leave of the Committee) *withdrawn.*

Clause, as amended, *agreed to.*

Clause 14 (Certified homes for girls under sixteen convicted of prostitution) *agreed to.*

Clause 15 (Prohibitions of exclusion from trial, &c., of persons interested).

Lord COLERIDGE in moving, as an Amendment, to provide that any girl or woman who might be concerned in any trial should be entitled to have present thereat any three persons she might name, and should be informed of this right, said, his belief was that, if tried in a Court without any of their own sex present, girls would often be at considerable disadvantage.

Amendment *moved,*

In page 7, line 29, after ("other proceeding") insert ("and any girl or woman who may be concerned as complainant, defendant, or otherwise, any such charge, trial, or other proceeding shall be entitled to have present thereat any three persons in attendance she may name, and shall be informed of this right.")—(*The Lord Coleridge.*)

LORD BRAMWELL said, he must object to the provision. It could not be worked, and it was now in the discretion of the Court to allow any friends to be present.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 16 (Definitions), and Clause 17 (Repeal of enactments in Schedule), *agreed to.*

Schedule *amended,* and *agreed to.*

House *resumed.*

The Report of the Amendments to be received on *Friday* next; and Bill to be *printed* as amended. (No. 128.)

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 112.)

REPORT.

(*The Earl of Dalhousie*)

Amendments *reported* (according to Order).

Clause 1 (Marriage between a man and his deceased wife's sister not void or voidable).

THE EARL OF DALHOUSIE said, he would now move an Amendment, to give effect to what he considered to be the wish of the House, on the occasion when the Bill was up for second reading. He proposed, with that view, to omit the words "heretofore celebrated or contracted at any place whatsoever within the realm or without." The effect of the Amendment would be to prevent the Bill having any objectionable retrospective effect.

Amendment *moved,* in page 1, line 7, to leave out from ("sister") to ("which") in line 7.—(*The Earl of Dalhousie.*)

Amendment *agreed to;* words *left out* accordingly.

THE EARL OF DALHOUSIE said, he should next propose an Amendment to meet the objections expressed by the noble Earl opposite (Earl Beauchamp) at a former stage of the Bill. The effect of it, while excluding the Church of England from the scope of the Bill, was to legalize marriages performed in Roman Catholic or Dissenters' chapels, or before a Registrar.

Amendment *moved,*

In page 1, line 12, after ("Ireland") to insert ("or in any building registered for the solemnization of marriages at which the presence of a registrar is necessary by law"); and leave out from ("elsewhere") to ("shall") in line 13.—(*The Earl of Dalhousie.*)

Amendment *agreed to;* words *inserted* and *left out* accordingly.

LORD CLIFFORD OF CHUDLEIGH said, he proposed to add words to the Amendment which their Lordships had just assented to, the object of which was to give to these marriages, if celebrated in Roman Catholic chapels in Ireland, the same validity as when they took place in English Catholic chapels. He must explain to their Lordships that Irish Catholic chapels were not registered for marriages, and yet were not places where the presence of the Registrar was required.

Amendment *moved,*

In page 1, line 12, after ("Ireland") insert ("or which shall be celebrated in Ireland by any Roman Catholic priest.")—(*The Lord Clifford of Chudleigh.*)

Amendment *agreed to;* words *inserted* accordingly.

On the Motion of The Earl of DALHOUSIE, Amendment made, in page 1, line 14, by leaving out ("the") and inserting ("such").

THE EARL OF DALHOUSIE said, that, in deference to the views expressed by his noble and learned Friend on the Woolsack on the second reading of the Bill, he would now move an Amendment giving validity, from the date of the passing of the measure, to every marriage already contracted with a deceased wife's sister, and legitimatizing the children of such marriages already born. If any person in the past had contracted marriage in a manner which the Bill would legalize if it were contracted after the passing of the Act, such marriage should be lawful.

Amendment *moved,*

In page 1, line 18, leave out ("have been") and insert ("be"), and after ("celebrated") add ("and any such marriage heretofore celebrated or contracted, shall, from and after the passing of this Act, be and be deemed to be from thenceforth valid in the same manner as if it had been duly celebrated or contracted on the day of the passing of this Act according to the provisions thereof, and all children of any such marriages whether celebrated or contracted before or after the passing of this Act, shall, subject to the provisions herein-after contained, be held to be legitimate.")—(*The Earl of Dalhousie.*)

Earl FORTESCUE said, he must protest against marriages solemnized in defiance of the law being given, on the day of the passing of the Act, exactly the same validity as the marriages of the parties who had conscientiously waited for the permission of the law would get when theirs were solemnized hereafter. To do that would be directly sanctioning wilful violation of the law. He agreed that innocent children should be treated as legitimate; but he did not see why the parents should not be compelled to be married again, and thought their disliking it no objection. With that object, he would move an Amendment to strike out all the words of the proposed Amendment down to "and all children," and leave that portion of it intact which legitimatized the children.

Moved, to amend the said Amendment by striking out all the words down to the words ("and all children.")—(*The Earl Fortescue.*)

The LORD CHANCELLOR said, he looked at the question from the opposite point of view to that taken by the noble Earl who had just spoken (Earl Fortescue). In the Committee he had ventured to call the attention of the House to the dangerous principle of the Bill as it originally stood; and he thought that his objection in that respect had now been removed by his noble Friend (the Earl of Dalhousie). He must confess that he could not see any difference between an Act which itself married people on the day when it was passed, and a measure which would say that the same people might go on that day to the Registrar's Office and get married. In either case the marriages were civil marriages, and no more. He, therefore, fully approved of the Amendment proposed by his noble Friend (the Earl of Dalhousie), as it would have the desired effect of taking away the retrospective character of the Bill.

Lord ELLENBOROUGH said, he wished the noble Earl (Earl Fortescue) to consider that the Bill favoured the right, and was not contrary to it.

Amendment (*The Earl Fortescue*) *negatived.*

Amendment (*The Earl of Dalhousie*) *agreed to.*

Words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 2 (Excepted cases).

On the Motion of The Earl of Dalhousie, the following Amendment made:—In page 1, add—

("Or where there has been a declaration of nullity of marriage by any court of competent jurisdiction whether before or after the passing of the Act of the fifth and sixth year of King William the Fourth, chapter fifty-four, or where proceedings are pending at the time of the passing of this Act for a declaration of nullity of any such marriage, or where the parties have been separated and are living apart at the time of the passing of this Act.")

Clause, as amended, *agreed to.*

Clause 3 (Provision for saving rights).

On the Motion of The Earl of Dalhousie, Amendment made in page 2, line 13, at end of clause, by adding—

("Nor any legacy duty, succession duty, or other duty paid or payable to Her Majesty in consequence of the death of any person before the passing of this Act.")

Clause, as amended, *agreed to.*

Clause 4 (Proceedings against clerk not affected by this Act).

Earl FORTESCUE, in moving the omission of the clause, in order to insert instead a provision taken from the Divorce Act, 1857, said, that his only object was, as learned men came to opposite conclusions with regard to the passages of Scripture bearing on this subject, to leave clergymen free to act according to their consciences, without imposing on them restrictions inconsistent with Christian liberty, which was not done by the clause as it stood. Surely those who made a marriage which many divines thought innocent, and most Christian Churches did not absolutely forbid, were entitled to as much consideration as those who had done what not only all Christian Churches, but the Jews and most enlightened heathens, considered unquestionably immoral.

Amendment *moved*,

To leave out Clause 4, and insert as a new clause:—("No clergyman in holy orders or other minister of religion shall be compelled to solemnize the marriage of any sister of a deceased wife, or shall be liable to any suit, penalty, or censure for solemnizing or refusing to solemnize the marriage of any such person.")—(*The Earl Fortescue.*)

The Earl of DALHOUSIE said, he most earnestly hoped his noble Friend (Earl Fortescue) would not press this Amendment. It was in direct antagonism to the spirit of the clause, which, as it stood, had been passed by a Committee of their Lordships' House, after full consideration; and, therefore, he (the Earl of Dalhousie), although he was in sympathy with the views of his noble Friend, could not possibly assent to it now.

Amendment *negatived.*

Clause *agreed to.*

On the Motion of The Earl of Dalhousie, the following new clause was *agreed to*, and *inserted*, to follow Clause 5:—

(Valid marriages not affected.)

"(6.) Nothing in this Act shall affect any marriage which, by the law of England and Ireland, and of Scotland, respectively, was valid at the time of the passing of this Act."

Bill to be read 3ª upon *Thursday* next; and to be *printed* as amended. (No. 129.)

Earl BEAUCHAMP said, he would give Notice that, upon the Order for the Third Reading of the Bill, he should move its rejection.

House adjourned at Nine o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 25th June, 1883.

MINUTES.]—New Member Sworn—Sydney Charles Buxton, esquire, for City of Peterborough.

Public Bills — *Second Reading* — Companies (Colonial Registers) * [185].

Committee—Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Ninth Night*]—r.p.; Sea Fisheries (Ireland) * [31]—r.p.

Committee — Report — Turnpike Acts Continuance * [231].

Reported from the Standing Committee on Trade, Shipping, and Manufactures—Bankruptcy * [No. 224].

Third Reading—Drainage (Ireland) Provisional Orders (No. 2) * [220]; Local Government Provisional Orders (No. 9) * [200], and *passed.*

PARLIAMENT—BANKRUPTCY BILL.

Bill *reported* from the Standing Committee on Trade, Shipping, and Manufactures;

Report to lie upon the Table.

Bill, as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 243.]

Minutes of Proceedings to be *printed.* [No. 224.]

QUESTIONS.

THE IRISH BUTTER TRADE—CORK BUTTER MARKET.

Mr. MOORE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the attention of Government has been called to the severe strictures of the Richmond Commission upon the constitution and management of Cork Butter Market; whether his attention has been more particularly directed to the evidence given with regard to the system of inspection, under which the broker, who employs and pays the inspector, is permitted to stand at his elbow during the inspection and endeavour to influence his judgment; whether, as a matter of fact, such scandals do exist; and, whether, under all the circumstances of the case, and considering the importance of this market, and the fact that its quotations govern the price of butter throughout the whole of Ireland, Government will consider the advisability of legislating to remove such abuses?

Mr. TREVELYAN: Sir, the Report of the Richmond Commission and the notes of the evidence affecting the Cork Butter Market were brought before me in Ireland in October last. After consideration, I came to the conclusion that it would not be expedient—perhaps not possible—for the Irish Government to interfere by legislation in the matter. The hon. Member is, no doubt, aware that much litigation has from time to time taken place to decide the rights of the brokers and the public as to the market; and, further, that the Richmond Commission to which he refers makes no recommendation or suggestion as to how the alleged abuses in the market can be abated. The importance of the market is not overstated by the hon. Member; but, notwithstanding this, it seems to involve questions of private rights, rather than rights with which the Government can interfere.

ROYAL UNIVERSITY (IRELAND)—DR. DUNNE.

Mr. LEWIS asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Dr. Dunne, one of the Secretaries of the Royal University in Ireland, is one of the paid staff of a public journal as special correspondent and an editorial writer, and in that capacity freely discusses the internal and external affairs of the Royal University, and Irish political questions generally; and, whether, in view of the course taken by the Government in the case of the late Solicitor of the Land Commission, such contributions to the Press are compatible with the rules of the Civil Service?

Mr. TREVELYAN: Sir, I have received a letter from Dr. Dunne, in which he states—

> "I am not on the staff of any newspaper; I have no engagement with any newspaper; I receive no salary from any newspaper. As to the Royal University, it is not the case that I have freely discussed its internal and external affairs. I have never held any communications about it with persons not officially connected with it, except upon matters publicly known; and I have never given one particle of information concerning it which was of a private character."

TREATY OF BERLIN—ARTICLE X.—THE VARNA RAILWAY.

Mr. DIXON-HARTLAND asked the Under Secretary of State for Foreign Affairs, Whether, in view of the fact that Article X. of the Treaty of Berlin refers mainly to a payment of money justly due to the Bondholders of the Varna Railway, Her Majesty's Government will state why the claim of those bondholders should be made the subject of arbitration; and, whether Her Majesty's Government will take steps to have the case for arbitration so framed as to place Bulgaria, irrespective of any change of Ministry in that country, on the same footing as Turkey, in respect to the fulfilment of her Treaty obligations?

Lord EDMOND FITZMAURICE: Sir, the claim of the Varna Railway Company was made the subject of arbitration at their own suggestion in consequence of the failure of their negotiations for its settlement, and of the Bulgarian Government disagreeing with them as to the extent of their obligations under Article X. of the Treaty. As regards the second Question, it is proposed in the draft Agreement of Reference to settle all differences arising under Article X.; and the award will be equally binding on Turkey and Bulgaria as regards their respective obligations under it, when they are ascertained.

Mr. DIXON-HARTLAND: Am I to understand that the Varna bondholders suggested an arbitration themselves?

Lord EDMOND FITZMAURICE: Yes, Sir; there was a suggestion after the failure of the negotiations specified in Article X. That Article suggests or proposes an agreement by the parties with the Bulgarian Government; and it was when these negotiations failed that an arbitration was suggested.

COMMERCIAL NEGOTIATIONS WITH FRANCE—BROKERAGE ON SHIPPING.

Mr. CHARLES PALMER asked the Under Secretary of State for Foreign Affairs, What progress is being made in the negotiations with the French Government on the question of the brokerage on shipping?

Lord EDMOND FITZMAURICE: Sir, Her Majesty's Government are in communication with the French Government on this subject; and if my hon. Friend will repeat his Question on this day week, I hope to be able to enter into full details.

LAW AND POLICE—ALLEGED CRUELTY TO A HORSE.

Mr. BROADHURST asked the Secretary of State for the Home Department, Whether his attention has been called to a report in the "Kentish Express" of the 9th inst. of a prosecution at Wingham Petty Sessions against the Rev. Wm. Delmar, of Elmstone, and his coachman, for gross cruelty to a horse; and, whether he is aware that, although the cruelty was fully proved against both defendents, the bench of magistrates dismissed both cases; and, if so, whether there are any means by which such failures of justice can be remedied?

SIR WILLIAM HARCOURT, in reply, said, he had received a letter from the magistrates on this case, in which they said that, after full consideration, they decided that the charge had not been proved against the clergyman, and accordingly they dismissed it. The summons against the coachman was withdrawn by the prosecuting parties. Looking at the circumstances, he could not see any proof that there had been a failure of justice.

LAW AND POLICE—THE LATE CALAMITY AT SUNDERLAND.

MR. BIGGAR asked the Secretary of State for the Home Department, How many policemen were told off on Saturday last to keep order at the performance at Sunderland where so many lives were lost? The hon. Member said, that the following words had apparently been left out of his Question by the printer—namely, Whether on the same day a number of policemen were set apart to keep order at a pigeon-shooting match, and whether the Home Secretary did not consider that the exhibition at Sunderland was an occasion to which the attention of the police ought to have been directed rather than to a pigeon match?

SIR WILLIAM HARCOURT: Sir, this is a matter, as the House knows, that I can give no information upon. I have said over and over again that I have no control or authority over local police. As to the number of police that were on duty at the performance at Sunderland, that, no doubt, will be brought out in the course of the investigation which is to take place.

EDUCATION DEPARTMENT — BOARD SCHOOL IN COBORN STREET, BOW.

MR. RITCHIE asked the Vice President of the Council, Whether the Education Department have given their consent to the London School Board to erect a school in Coborn Street, Bow, notwithstanding the remonstrances which have been made by large numbers of the inhabitants; whether he is aware that the districts consists almost entirely of private houses inhabited by people in a good position of life, and of such a class as is likely to be seriously depreciated in value by the erection of the proposed school; whether the statistics that have been furnished to the Education Department show any want of school accommodation in the district; and, whether, assuming a deficiency to exist, it is not possible to obtain a site in the neighbourhood which will not be open to the objections raised against the one chosen?

MR. MUNDELLA: Sir, the Education Department has consented to the erection of a School in Coborn Street, Bow. The site was scheduled in a Provisional Order, which passed through Parliament last year without opposition. Remonstrances were addressed to the Department by some of the inhabitants, who complained that Coborn Street was inhabited by persons not likely to use an elementary school, and that it would depreciate the value of their property; but both to the east and west of Coborn Street there are large populations of the elementary school class. Statistics were furnished to the Department showing a want of school accommodation in the district, and before the Provisional Order was authorized an inquiry under the Statute was held by the Inspector, who supported the proposal of the Board. In order to meet, if possible, the objections of the inhabitants of Coborn Street, the Department required the School Board, before issuing notices, to endeavour to obtain some other site. The School Board, accordingly, last autumn, scheduled two other sites; but the local objections to both were as strong as those against Coborn Street, and on the same ground. After consultation with Her Majesty's Inspector and the School Board, we allowed the erection of the school in Coborn Street.

ARMY HOSPITAL SERVICES INQUIRY —APPENDIX No. 33.

MR. GUY DAWNAY asked the Secretary of State for War, with reference to Appendix No. 33, in the Army Hospital Services Inquiry Blue Book, Whether the list of medical comforts there given, as received at Ismailia, and used on board H.M.S. "Malabar" during the voyage to Portsmouth, represents the total amount consumed by the troops on board that vessel, or whether such list was supplemented, or could have been supplemented, from the ship's stores; and, if not, whether, in view of the fact that all such medical comforts were finished by the time the "Malabar" reached Portsmouth, with the exception of a few ounces of brandy, it is considered that five bottles of brandy and the diminutive amount of other articles given in the aforesaid list constitute a proper and sufficient store of medical comforts for the use of over 200 sick and convalescent soldiers during a three weeks' voyage?

THE MARQUESS OF HARTINGTON: Sir, the form of the Return in Appendix 33 is somewhat misleading. It does not represent the provision of medical comforts made at Ismailia for the voyage, but is the medical officer's account of the actual issues made to patients out of the medical comforts drawn by him from the saloon mess of the *Malabar.* Such medical comforts could have been supplemented from the same source to any extent the medical officer might have required. The medical comforts shown in Appendix 33 are all which were consumed during the voyage. Although the amount may appear small, the medical officer shows in his evidence, Q. 10,133 and 10,134, that they were sufficient for the invalids under his charge, who were, for the most part, convalescents on fresh meat rations, and of whom 56 were disembarked at Malta.

ROYAL IRISH CONSTABULARY—SPECIAL RESIDENT MAGISTRATES—LEGISLATION.

MR. O'SHEA asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will now introduce and have printed the Bill dealing with the higher ranks of the Royal Irish Constabulary and abolishing the Special Resident Magistrates, so that the House may have an opportunity of studying the details of that important measure before the concluding days at the end of the Session?

MR. TREVELYAN: Sir, when I see any fair hope of getting time for the discussion of this measure I will lay it on the Table of the House. On that occasion I will make a statement on the subject, and I will see that the House shall have full time for maturely considering the measure before the second reading is taken.

INLAND REVENUE DEPARTMENT—CHARGE AGAINST OFFICERS.

MR. ARTHUR O'CONNOR asked Mr. Chancellor of the Exchequer, Whether it is a fact that inspectors and collectors of the Inland Revenue Department, when holding investigations into charges brought against officers, take evidence against them in their absence, so as to deprive them of the right of cross-examination or contradiction; whether evidence so obtained is made the ground for punishment by censure or removal at the expense of the officers; whether censure so passed is made to stand against the officer for a period of ten years, and when any subsequent report or complaint, however trifling, is made, such censure is treated as of record, and used against him; whether a representation made by an officer that he has been unjustly treated in this way is deemed an act of insubordination; whether a superior officer under this system cannot with comparative impunity bring false charges against a subordinate; and, whether he has any reason to believe that officers suffering under such injustice are constrained to submit from fear of becoming "marked men?"

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, in reply to the first Question of the hon. Member, I have to say that, if statements affecting an Inland Revenue officer are made in his absence, he is always given an opportunity of contradicting or explaining them, either verbally or in writing. If, after such opportunity has been given, a charge is fully substantiated against an Inland Revenue officer, censure or other punishment would naturally follow. The answer to the third Question is "No." Censure stands against an officer for one or two years only. The answer to the fourth Question is "No." I do not consider that the system, as I have described it, facilitates false charges against subordinates; nor have I reason to believe that officers are intimidated in the manner suggested in the last Question.

MR. ARTHUR O'CONNOR asked whether the right hon. Gentleman would give an assurance that, in the case of proved injustice done under the existing system to any officer, that officer would be saved from any consequence not fairly due to his conduct?

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that in the case of proved injustice it would, of course, be his duty to endeavour to have right done.

NAVY—WRECK OF H.M.S. "LIVELY."

Dr. CAMERON asked the Secretary to the Admiralty, Whether the rock on which H.M.S. "Lively" was wrecked is visible at all states of the tide; or, if not, whether it is marked or buoyed?

Mr. CHAMBERLAIN: Sir, I have been asked by my hon. Friend the Secretary to the Admiralty to answer this Question, because it concerns the administration of Trinity House. The Hen and Chickens rocks, on which Her Majesty's ship *Lively* was wrecked, are visible at all states of the tide, except near high water at ordinary spring tides, when, according to the most recent Admiralty survey, there is about half-a-foot of water over them. The rocks are not buoyed because the Elder Brethren of the Trinity House, when consulted in 1869, were of opinion that a good clearing-mark for the rocks is given in the Admiralty sailing directions for the Hebrides, and since 1869 no further representations have been made on the subject.

ARREARS OF RENT (IRELAND) ACT, 1882—TENANTRY NEAR GWEEDORE.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether legal proceedings for the recovery of rent just accrued due are being taken against the tenantry of Capt. A. B. Hill, and of Mr. Wybrant Olpherts, near Gweedore; and, whether it is a fact that these tenants paid a year's rent last winter to qualify under the Arrears Act, and have since been dependent principally upon charity for their support?

Mr. TREVELYAN: I am informed, Sir, that legal proceedings have been taken against some tenants by Mr. Olpherts and Captain Hill to recover rent due. Some of the tenants concerned paid a year's rent last winter to qualify under the Arrears Act. They have not been since principally dependent on charity, but some of them got seed, potatoes, and oats.

Mr. T. P. O'CONNOR: Is one of these gentlemen (Captain Hill) a member of the Gweedore Board of Guardians?

Mr. O'BRIEN: The Chairman.

[No reply.]

INDIA (PALCONDA).

Mr. O'DONNELL asked the Under Secretary of State for India, If the Government have recently received any representations on behalf of the ex-Zemindar of Palconda; on what charge a child of eleven years, the present ex-Zemindar of Palconda, was condemned, in 1832, by the British authorities in India to imprisonment for life; if it is true that the prisoner was only released in 1869, after suffering an imprisonment of thirty-seven years; if any investigation or inquiry into the justice of such an imprisonment took place at any time during the thirty-seven years; if any appeal to any court of justice was open to the prisoner during this period; what compensation, if any, has been paid by the Indian Government to the released prisoner; and, whether natives of India, without distinction, sex, or age, can be imprisoned at the pleasure of the authorities for an indefinite period, and how many such prisoners are now in the custody of Government?

Mr. J. K. CROSS: Sir, firstly, Viziaram, half-brother of the last Zemindar of Palconda, has submitted to the Secretary of State two Petitions for the restoration of the estate forfeited for rebellion by the last Zemindar in 1832; secondly, Viziaram, with other members of his family, was ordered, under Regulation 11 of 1819, to reside at the Fort of Vellore, because it was deemed necessary for the peace of the country to remove the family from the neighbourhood of the Zemindary of Palconda; thirdly, he was permitted to leave Vellore in 1869; fourthly, the then Governor of Madras, Sir Frederick Adam, reviewed the case in 1839; fifthly, the High Court of Madras, on a suit brought by Viziaram in 1879 to recover the estate, decided that his detention at Vellore did not deprive him of his power to institute proceedings; sixthly, no compensation is due to Viziaram, who receives a pension of 250 rupees a-month; seventhly, I must refer the hon. Member for Dungarvan to a Return presented and printed on the 26th of April last, which shows that there are 47 State prisoners in India, and which also gives the authority for the confinement of each.

POST OFFICE—OVERHEAD TELEGRAPH WIRES.

Mr. STUART-WORTLEY asked the President of the Local Government Board, Whether it is the fact that overhead telegraph and telephone wires are in some cases stretched across streets, not only by Her Majesty's Post Office, but also by persons not empowered to do so, either by Act of Parliament or by licence from the public bodies in whom is vested the soil of the street across which such wires are stretched; whether there exist any means of ascertaining the number of overhead wires in the Metropolis which belong to private owners or companies which have ceased to use them, or for other reasons have ceased to keep them in repair; and, whether it may not be the case that there is an increasing number of overhead wires, of which the owners cannot be identified, which are practically abandoned, and which are daily falling more and more out of repair, and becoming more dangerous to the public?

Sir CHARLES W. DILKE, in reply, said, that the first and third branches of the Question referred rather to the general question than to that relating to the Metropolis. The second part referred to the Metropolis alone. He had received a deputation to-day on the subject with the Secretary of State for the Home Department, as representing the two Departments concerned. The matter had also been referred by the Home Office to the Metropolitan Vestries for information. As to the first of the hon. Member's Questions, his answer would be in the affirmative, though some of the Vestries seemed to dispute the extent of their powers. In reply to the second Question, many of the Vestries which had been communicated with stated that there were many such lines in the district, others said there were none; but the greater portion had replied that they were without information. In the City and certain parts of Westminster, no doubt there were a certain number of abandoned lines. The Vestry of St. Mary, Newington, stated that if any such existed in their district they would immediately take steps for their removal; but he (Sir Charles W. Dilke) should like to read to the House some extracts from the letter from the Vestry of St. Giles's, because that seemed to show that ample powers already existed. The letter stated—

> "Overhead telegraph and telephone wires had been stretched across the streets by persons not empowered to do so; but in all such cases where the owners had been found the Board had taken steps to obtain the removal of such wires, or had permitted them to remain under proper conditions and supervision. Where private wires had ceased to be used or to be kept in repair, the owners had been ascertained by the Board's inspector. The increase in overhead wires is constantly watched and dealt with."

In other portions of the Metropolis he believed the erection of overhead wires was disregarded. The whole of the legal points at issue were about to be raised in actions to be brought by the Local Board of Wandsworth.

Mr. STUART-WORTLEY: The right hon. Gentleman has not stated whether the Local Boards dispute their liability to any person injured by the fall of such a wire into the street?

Sir CHARLES W. DILKE: That is a wholly different Question; but I may say the liability is on the person who erected the wires. Of course, if there was no owner to be found that would be another matter; that is a question, however, which has not up the present time been raised.

Mr. STUART-WORTLEY: Will the right hon. Gentleman consider whether there is any such liability?

Sir CHARLES W. DILKE: As I have already stated, one of the Vestries say they have power to take their wires down. It will be better to have this point cleared up by a legal decision before any other matter is entered upon.

LAW AND JUSTICE (SCOTLAND)—PETITION PROCESSES IN COURT OF SESSION.

Dr. CAMERON asked the Lord Advocate, Whether his attention has been called to the state of confusion into which the curatory, factory, and entail petition processes in the Court of Session have fallen; whether representations have been made to Government of the inconvenience and risk involved in the present state of things, and of the urgent necessity for the re-arrangement and re-indexing of the whole petition processes, and for their safe custody; and, whether there is any prospect of such a re-arrangement of the office entrusted with their charge as will enable the re-indexing to be overtaken, and the delays and inconveniences complained of to be avoided?

The LORD ADVOCATE (Mr. J. B. Balfour): I believe, Sir, that some difficulty in the arrangement of the papers referred to exists, owing to the unequal distribution of the work of the clerks of Court, which, unfortunately, can only be fully remedied by Act of Parliament. Some time ago, a temporary assistant was appointed to the clerks of the Office of the Junior Lord Ordinary, before whom these processes come, and I shall endeavour to get such further temporary arrangement made as may remedy the inconvenience.

LAND LAW (IRELAND) ACT, 1881—PROVISIONS AS TO LABOURERS' COTTAGES.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government are taking any steps for enforcing the orders of the Land Commissioners for the building of labourers' cottages in cases where such orders have not been complied with?

Mr. TREVELYAN: Sir, the Act of Parliament does not give the Government any authority to take steps for enforcing the orders of the Land Commissioners for the building of labourers' cottages. I am afraid we cannot undertake to bring in an amending Act. A Bill is now before the House dealing with this question on a larger scale.

Mr. KENNY asked how many of these houses were erected under the Land Act?

Mr. TREVELYAN: I cannot say from memory, but I stated the number in answer to a Question the other day. It is something very small.

Mr. O'SULLIVAN asked whether the Land Act could not be amended in this respect?

Mr. TREVELYAN: I daresay the hon. Member feels very strongly on this matter, and in that case, perhaps, he would bring in a clause himself.

EVICTIONS (IRELAND)—CASE OF WIDOW DRISCOLL.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, and for what reason, the police have prevented Widow Driscoll, an evicted tenant, from taking possession of a wooden hut provided for the shelter of herself and her family at Keelkemane, near Skull; and, whether two of Widow Driscoll's grandchildren have died from exposure owing to the miserable condition of the hut in which they were obliged to take shelter after eviction?

Mr. TREVELYAN: Sir, Mrs. Driscoll was evicted in April last, owing four years' rent, which it is believed she could have paid if she wished. It was proposed to erect a hut for her on a passage leading from the high road to the evicted house and farm. The object was believed to be intimidation, and informations were sworn to that effect. It was for this reason that the persons concerned were warned to desist. It is the case that two of Mrs. Driscoll's grandchildren died soon after the eviction. I am informed that the family are quite as well sheltered in the outhouse to which they removed after the eviction as they would have been in the wooden hut, and that the children had been dead more than a month before the erection of the latter was proposed.

LUNACY COMMISSIONERS' REPORTS FOR 1882.

Mr. W. J. CORBET asked the Secretary of State for the Home Department, When the Report of the Lunacy Commissioners, England, for the year ended 31st December 1882 will be laid upon the Table, and also the Report of the Scotch Commissioners for the same period?

Sir WILLIAM HARCOURT: This Report is in type, and will soon be presented to the House.

Mr. ARTHUR O'CONNOR asked whether under an Act of Parliament these Papers ought not to be laid on the Table within three weeks of the meeting of Parliament; and whether the right hon. and learned Gentleman had not previously promised, in reply to a Question of his own, that there should be no unnecessary delay?

Sir WILLIAM HARCOURT: I cannot answer that Question off-hand.

Mr. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, When the Report of the Inspectors of Lunatics, Ireland, for 1882 will be laid upon the Table?

Mr. TREVELYAN: It is expected that the Report will be laid on the Table in the course of this week.

DUCHY OF LANCASTER—LANDS ACT, 1855—FORESHORES—THE CORPORATION OF SOUTHPORT.

Mr. SUMMERS asked the Chancellor of the Duchy of Lancaster, Whether he is now in a position to state what has been the result of the employment of his good offices between the Corporation of Southport and the riparian proprietors in the matter of the Southport foreshore?

Mr. DODSON, in reply, said, he had been, and was, in communication with the Corporation and the riparian proprietors with a view to bringing about an amicable arrangement. The Correspondence would be laid on the Table tomorrow, or the next day.

NAVY—OFFICERS OF THE STEAM RESERVE.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, If he can state how many Officers of the Steam Reserve are on service at the different Naval Stations, and for how many at each station respectively sleeping accommodation is provided?

Mr. CAMPBELL-BANNERMAN: Sir, this number varies in accordance with the number of officers borne for disposal and service in the reserve ships. At present, there are 401 such officers. I cannot say how many of that number, by the Rules of the Service, are entitled to cabins, but at this moment there are 3 at Sheerness, 52 at Chatham, 11 at Portsmouth, and 33 at Devonport provided with cabin accommodation. Those who are not accommodated afloat draw 1*s*. 6*d*. a-day in lieu of provisions, and this arrangement, I believe, is satisfactory to those concerned. As I said the other day, I am not aware that any officer desirous of being accommodated on board has been refused.

Sir H. DRUMMOND WOLFF asked if sleeping accommodation was provided?

Mr. CAMPBELL-BANNERMAN: Yes, Sir.

NAVY—DOCKYARD ARTIFICERS AND LABOURERS.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, If he can state whether persons employed in Her Majesty's Dockyards are paid for public holidays; and, whether one class of artizans receive payment on such occasions, while others do not; and, if so, whether he can state the reasons for which one class is treated less favourably than the other in this respect?

Mr. CAMPBELL-BANNERMAN: Sir, the Dockyard Regulations lay down that workpeople shall be paid their full wages for the established public holidays, an exception being made in the case of "hired labourers engaged for short periods by the storekeeper, and hired persons employed in the works department." As the former class are not continuously employed, their exception from this privilege seems reasonable. The hired men in the works department have been treated on the footing of men employed by contractors, whose place they fill, and have thus been considered as not entitled to the ordinary advantages of the Dockyards. This is, however, a matter which is to be looked into in the course of the investigation now being conducted into various Dockyard questions.

NAVY—THE "DOTEREL" EXPLOSION.

Mr. JOSEPH COWEN asked the Secretary to the Admiralty, Whether the Papers referred to by his predecessor in office respecting the "Doterel" explosion are yet completed; and, if so, when they will be laid upon the Table of the House along with the decision of the Admiralty on the matter?

Mr. CAMPBELL-BANNERMAN: Sir, the Papers on this subject have been prepared for presentation to Parliament; but some delay has occurred owing to the necessity of lithographing certain illustrative plates. I hope soon to be able to lay them on the Table.

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL.

Sir HERBERT MAXWELL asked the Under Secretary of State for India, Whether the Reports of the Debate in the Indian Legislative Council on Mr. Ilbert's Native Judicature Bill, which he promised on 12th May, will be in the hands of honourable Members in time to permit an opportunity for their consideration during the current Session?

MR. J. K. CROSS: Sir, in reply to the hon. Baronet's Question, I can only say that I am not aware that these Reports were promised on the 12th of May; they were placed in the hands of the printer on the 28th of that month, as I then stated, and they will be delivered to hon. Members in the course of a few days.

THEATRES AND MUSIC HALLS (METROPOLIS)—PRECAUTIONS AGAINST FIRE.

MR. DIXON-HARTLAND asked the Secretary of State for the Home Department, Whether Captain Shaw's Reports on the various theatres contained recommendations that in certain cases the licences should not be regranted before certain alterations were made; and, whether, in view of the recent calamity in a Sunderland theatre, any such theatres have had their licences regranted without such alterations, as recommended by Captain Shaw; and, if so, which?

SIR WILLIAM HARCOURT: Sir, the first part of this Question should be put to the Chairman of the Metropolitan Board of Works, with which body the responsibility rests. With reference to the second part of the Question I can only repeat what I stated the other day, that the lamentable calamity at Sunderland has no bearing, so far as I can see, on the question of the provision of exits. All the evidence points to the fact that there was a sufficiency of exit accommodation, had the doors only been opened.

MR. DIXON-HARTLAND: The right hon. and learned Gentleman is no doubt aware of the contents of Captain Shaw's Reports. I shall repeat the Question this day week.

CONTAGIOUS DISEASES ACTS (PORTSMOUTH).

MR. HOPWOOD asked the Secretary to the Admiralty, Whether his attention has been called to a statement, in several newspapers, to the following effect:—

> "Last week a large transport entered Portsmouth Harbour with time-expired men from India. On the same day several diseased women left the Portsmouth Hospital, presumably with the intention of meeting that transport, and there was no Law to prevent it;"

and, whether there is any foundation for the statement?

MR. CAMPBELL-BANNERMAN: Sir, as soon as the paragraph in question appeared in a London daily newspaper the Visiting Surgeon under the Contagious Diseases Acts at Portsmouth wrote to the Admiralty, under which Department he acts, saying there was no foundation whatever for the statement contained in it. This was stated in the House of Lords by Lord Northbrook on the 14th instant.

CUSTOMS AND INLAND REVENUE ACT, 1881—DISTRICT REGISTRARS.

MR. MARUM asked Mr. Chancellor of the Exchequer, inasmuch as compensation has been calculated in the usual manner in regard to the loss sustained under the provisions of the Customs Act of 1881 by certain district registrars, who yet have been retained in their offices for public duty instead of being superannuated on retiring salaries, and that, moreover, the effect of the Act has been to develop and increase materially the taking out of probate grants in cases limited by the Act to the extent of 35 per cent entailing additional trouble and expenditure with the retention of the same staffs of office, Whether features of an exceptional character do not exist sufficient to take these cases out of the usual course; and, whether he will reconsider the scale of compensation proposed to be applied?

MR. COURTNEY: If experience shall show that the effect of the Customs and Inland Revenue Act of 1881 is to increase seriously the work in any District Registry in excess of the powers of the existing staff, the Treasury will be ready to consider whether the circumstances are such as would justify the grant of further clerical assistance. But no such prospective increase of work can afford grounds for altering the compensation granted for loss of emoluments actually received before the Act of 1881 came into operation.

PARLIAMENT—PROPOSED ALTERATION OF THE SITTINGS.

MR. BROADHURST asked the First Lord of the Treasury, Whether he will consider the desirability of dividing the Session into two sittings, commencing the first week in March and the third week in October respectively; and, whether, if he has any doubt as to the advisability of advising this change, he will take steps to ascertain the general opinion of the House on the question?

Mr. GLADSTONE: Sir, although the form of this Question is somewhat novel, I understand it to be, in substance, whether it is deemed expedient that we should revert to the old practice which prevailed at the beginning of the present century and some time afterwards—that is to say, when Parliament used to assemble late in the autumn and take a considerable Vacation at Christmas, and the Prorogation was usually arranged to come about the middle of June. Well, Sir, that is a question of considerable interest and importance, especially to Members of this House; to Members of the House of Lords it is of secondary importance. It has been a good deal discussed in private, but not very much in the House, at least, not, I think, very recently. I think, however, it is plainly a question for the Members of the House themselves in the main, and especially for the Members of this House, and it will probably be the duty of the Government to consider any definite indication of their opinion on the subject, but not to raise the question themselves unless they feel satisfied that the desire of the House is in favour of the change.

INDUSTRIAL WORKS (IRELAND).

Mr. MITCHELL HENRY asked the First Lord of the Treasury, What significance is to be attached to the following words which fell from the Lord Lieutenant of Ireland on the 16th instant, in his reply to the address of congratulation from the Town Commissioners of Cavan:—

> "The Government feel the importance of promptly bringing forward measures necessary for developing the prosperity of Ireland, and will not fail to consider where Parliamentary legislation is needed to effect this object;"

and, whether he is now in a position to give a final reply to the memorial of the Irish Liberal Members respecting industrial works, which he promised to refer for consideration and report to the Irish Government?

Mr. GLADSTONE: Sir, I have communicated with my noble Friend the Viceroy of Ireland, and even independently of his reply to me I was perfectly prepared to explain the words he used. They were intended to signify that Her Majesty's Government, when they received a communication some months ago from several of the Irish Members, gave that communication, not merely a formal reception, but a serious practical consideration. That practical consideration is still going on, and although I am not at the present moment prepared to state the result in definite terms, yet I think that before the middle of July, or by the middle of July, I shall be able to give an answer of a definite nature to the Question of my hon. Friend.

PARLIAMENT—BUSINESS OF THE HOUSE—SCOTCH BUSINESS.

Mr. J. W. BARCLAY asked the First Lord of the Treasury, Whether any obstacle has arisen to account for the delay in introducing the Bill providing for the rearrangement of Government business in Scotland; whether objection is offered to the new arrangements contemplated by the Law Officers for Scotland; and, whether he will undertake to introduce the Bill before proceeding with the Scotch Votes?

Sir HERBERT MAXWELL asked the First Lord of the Treasury, When it is proposed to introduce a Bill for the rearrangement or creation of a Scottish Department?

Mr. DALRYMPLE asked the First Lord of the Treasury, inasmuch as he stated, August 16th 1881, at the time when "additional assistance in the Home Office" was obtained by the appointment of the Earl of Rosebery, that there was "no formal change, and still less nothing that would tend to lower the office of the Lord Advocate," What circumstances have arisen since that time which have made new arrangements necessary for the management of Scotch business; and, whether there is any reason for abandoning the custom which had grown up through many years of leaving to the Lord Advocate not only the legal but also the lay or general business of Scotland, subject to the control of the Government?

Mr. GLADSTONE: Sir, the only specific observation I have to make in answering the first Question is that the second clause of that Question evidently rests upon an entire misapprehension. There has been no such objection or impediment offered by the Law Officers for Scotland; and, in truth, the Law Officers for Scotland—and especially the Lord Advocate—have been engaged in considering the arrangements to be proposed. Apart from that, I think it will be enough to say in answer to the third Question that there has been no cause of delay except that which is a cause of universal delay—namely, the crowded state of Public Business. My right hon. and learned Friend the Secretary of State for Home Affairs will move on Thursday for leave to bring in a Bill which will contain the proposals of the Government on this subject.

MR. DALRYMPLE said, that he had not received an answer to his Question from the Prime Minister.

MR. GLADSTONE: I thought, Sir, I had answered the Question of the hon. Gentleman when I said there had been no cause of delay excepting the pressure of Business. The word she has quoted of mine had reference to the immediate intentions of the Government, and had no reference to their permanent intention. They were used in answer to an inquiry as to whether any further change was about to be made at once, and were intended to mean that no further change was contemplated at once.

MR. DALRYMPLE: I quoted the words for the purpose of leading up to the Question on the Paper, and there was no reference whatever in my Question to delay.

MR. GLADSTONE: I see also the hon. Member asked what will be the functions and arrangements under the new plan—

> "And whether there is any reason for abandoning the custom which had grown up through many years of leaving to the Lord Advocate not only the legal but also the lay or general business of Scotland?"

The hon. Gentleman assumes that is to be done, and asks me the reasons for it. That evidently is a matter that will form the substance of the statement which my right hon. Friend will be ready to make when he submits his proposal to the House on Thursday, and I thought the hon. Gentleman would have fully understood that from the answer I made.

SIR HERBERT MAXWELL: May I ask whether, considering the curiosity that exists in the minds of people North of the Tweed as to the Business which will be done by the new Scotch Department, a statement will be made by the right hon. and learned Gentleman the Home Secretary on the Motion for the introduction of the Bill?

MR. GLADSTONE: Yes, Sir; my right hon. and learned Friend will make such a statement as will, I hope, convey such a preliminary knowledge to Members of Parliament in general.

SIR HERBERT MAXWELL: Before the Army Estimates or afterwards?

MR. GLADSTONE: No, no; after the Army Estimates.

SOUTH AFRICA—THE TRANSVAAL—THE SPECIAL COMMISSIONER.

SIR MICHAEL HICKS-BEACH: Can the right hon. Gentleman now give us the promised information respecting the Special Commissioner to the Transvaal, and state whether the instructions to the Special Commissioner and the despatch with respect to Basutoland will be laid upon the Table of the House?

MR. GLADSTONE: Sir, when this subject was last mentioned, I stated that since Her Majesty's Government had adopted the decision to advise the despatch of a Commissioner to South Africa, a circumstance had occurred, the nature of which I would explain to-day. It is this. It was the intention of Her Majesty's Government, as the right hon. Baronet rightly supposes, to despatch a Special Commissioner to South Africa, and his instructions would have been produced. But almost before I spoke last in this House upon the subject, the Government received a telegram from South Africa, which met or anticipated our proposal, I cannot say which. Whether this message was despatched before any news of our proposal, or intimation of it, had gone out to South Africa or not I cannot say. But it contained a proposal on the part of the Transvaal Government to send representatives here—and probably either the President or Vice President of the Transvaal Government—for the purpose of considering this very same subject. Her Majesty's Government, on reviewing the whole matter, were inclined to think that, in view of all the interests concerned, this, probably, would be the more suitable and the more convenient mode of handling the question. They, therefore, have signified, by recent telegram from the Secretary of State to the officer administering the government of the Cape, that he may inform the Transvaal Government —I am giving the substance and not the precise words of the message—that Her Majesty's Government will be quite satisfied to inquire into the working of the Convention as it has been tested by experience, and to receive a deputation from the Transvaal Government, including the President or the Vice President, in London, at a convenient time for that purpose. I think that is, perhaps, all the information I have now to give the right hon. Gentleman. Of course, no question of instructions arises under these circumstances, it being in the recollection of the House that when the Convention was framed the Government said that, in their opinion, it would require to have a term of working in order to ascertain how far it was satisfactory, and they were now perfectly prepared without any foregone conclusion to consider the various provisions of the Convention in the light of the experience which has been afforded.

Sir MICHAEL HICKS-BEACH: The right hon. Gentleman has not told us whether the despatch relating to Basutoland will be produced; but with reference to what he has now said, can the right hon. Gentleman say when the deputation is expected to arrive, and whether he will give the precise terms of the telegram received from the Transvaal Government?

Mr. GLADSTONE: I did not understand the Basutoland despatch to be included in the Question. There was a previous answer given on that subject, which was, I think, that we were not prepared to produce the despatch at the present time, considering that it involved matters of communication with others who were largely independent of us, and there were matters to be considered in the interest of this country, and we did not think the position of this country would be strengthened by producing that despatch at length at this moment. I am not aware of any reason at the present moment why the telegram containing the proposal of the Transvaal Government should not be laid on the Table, and—unless I find that there is any reason, which I do not at present anticipate, why it should not be produced—I will produce it.

Sir MICHAEL HICKS-BEACH: When is the deputation expected?

Mr. GLADSTONE: I cannot say, at the present time, when the deputation will arrive. We have telegraphed out to South Africa, accepting the proposal, and we shall propose that it be arranged with all possible despatch. We shall be desirous of getting the Commissioners here—not only before the present Session is terminated, but while it is still in full vigour. We shall do our best to that effect, but I cannot say precisely; and indeed I ought to state that, unfortunately, there will be a delay of a few days, owing to some accident to the cable which causes an interruption to the communication with the Cape. It is hoped, however, that this delay will not be more than three days, but we cannot say very positively.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

Mr. GLADSTONE: I may state, Sir, with reference to the Business of the House, that it is proposed to take the Army Estimates on Thursday next; and I am in a condition to say, as I have ascertained from the authorities, that the Business of the House now permits us to commence, as usual about this time of the year, our regular and principal duties at a quarter-past, instead of half-past 4 o'clock. It will be requisite on Thursday next also to take certain Votes in Supply to put the Admiralty Department in funds; and we propose on that evening to take the Non-Effective Votes. We shall propose an early day for the discussion of the Navy Estimates, and I shall probably be able to name the day by next Thursday.

Mr. FLETCHER asked the Secretary of State for War what Votes would be taken on the Army Estimates on Thursday, and whether the Medical and Non-Effective Votes would be taken?

The Marquess of HARTINGTON said, that he found that the Votes that stood next on the Estimates were Votes that would probably cause a considerable amount of discussion, though they were for a comparatively small amount of money. Should the discussion be prolonged, he feared they would scarcely have sufficient funds for the Public Service; therefore he thought the most convenient course on Thursday would be to ask the Committee to proceed to the Commissariat Estimates, and from that point to go through as much of the remaining Estimates as they were able to discuss. He should not propose to take the Medical Vote on Thursday, and the other Votes he should endeavour to obtain at as early a day as possible. The Non-Effective Votes would be taken as they reached them.

SIR WALTER B. BARTTELOT said, that the noble Lord had stated that he intended to put off the first few Votes of the Army Estimates because they were likely to invite discussion. He wished, therefore, to ask the Prime Minister whether, considering the very serious condition of the Army at the present time, he would name a day on which the House might have a discussion on the Vote for the Reserve?

THE MARQUESS OF HARTINGTON: I have said that we shall name as early a day as possible for the discussion of the remaining Votes. I think, however, the hon. and gallant Member must have forgotten that we have already had a discussion of very considerable length with respect to recruiting in the Army, and that the intentions of the Government have been announced. I do not think it would be for the convenience of the Public Service that there should be any further discussion. I quite admit, however, that a convenient opportunity should be afforded for the Medical and Reserve Votes.

SIR WALTER B. BARTTELOT said, he had asked the noble Lord privately when this Vote would come on, and he told him distinctly it would come on on Thursday. It was a matter of very great moment to this country, and hon. Gentlemen opposite did not seem to care an atom what became of the Army. [*Cries of* "Order!"]

MR. SPEAKER said, he must remind the hon. and gallant Member that he was not at liberty to debate the subject.

SIR WALTER B. BARTTELOT said, he must press the Prime Minister for an answer as to whether they could not have some assurance that the discussion should take place within a reasonable time?

COLONEL ALEXANDER said, that before the right hon. Gentleman answered the Question, he begged to remind the noble Marquess that in the answer he gave to the noble Lord the Member for North Northumberland (Earl Percy) on the 1st of June, he distinctly stated that upon the next occasion when the Army Estimates were under discussion an opportunity would be afforded for discussing the Reserve Vote.

MR. GLADSTONE said, that his noble Friend the Secretary of State for War had already indicated that an early day would be afforded for the discussion.

MR. W. H. SMITH said, he understood the right hon. Gentleman to say that on Thursday he would make an announcement as to the day on which the Naval Estimates would be taken, and he would also like to ask him if he would, at the same time, be able to say when he would take the Vote for the Irish Land Commission, on which there would probably be considerable discussion?

MR. GLADSTONE, in reply, said, that on Thursday or Friday he hoped to be able to fix a day for the Naval Estimates. With regard to the Vote for the Land Commission, they should have regard to the possibility of discussion upon it; but he did not think he should be able to fix the date so soon as Thursday or Friday.

MR. GORST asked the First Lord of the Treasury, whether he would undertake that the Vote for the Transvaal Commissioner would not be brought forward until he had announced the intention of the Government on the subject?

MR. GLADSTONE said, the best answer he could give at the present stage of affairs would be to say they would consult the general convenience of the House with regard to taking this Vote. He thought they ought first to endeavour to obtain information as to the period of the arrival of the Transvaal Commissioners in this country.

THE SUEZ CANAL—A PARALLEL CANAL.

MR. W. M. TORRENS asked the Under Secretary of State for Foreign Affairs, Whether the Government have authorised any person or persons to propose any, and, if any, what arrangement to the Suez Canal Company, or to any person or persons representing, or purporting to represent, that Company with reference to meeting the complaints of the British shipowners, as expressed to Her Majesty's Government at their interview with Lord Granville last month?

Mr. CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, Whether the statement reported to have been made by M. de Lesseps is correct, that perfect harmony exists between the views entertained by Her Majesty's Government and the Suez Canal Company for the erection of a new parallel Company?

Mr. GLADSTONE: The Government, Sir, through their representative Commissioners, the members of the Board of the Suez Canal Company, have entered pretty largely into what I may call a comparison of views with regard to all the questions which this important subject embraces. That, of course, has gone on at Paris with M. de Lesseps and the other Directors of the Company. There is a great harmony of view on particular points that have been opened; but there are other points of great importance also, especially concerning the amount and time for reduction of rates in the Canal, with regard to which unity of view has not yet been arrived at. It would not be expedient, in our opinion, that we should make any public statement at the present time. The state of affairs we have reached does not permit it. The House will remember that on a former occasion I expressed a great desire on the part of the Government to have the assistance which could be rendered to us by the information and experience of the commercial community before we arrived at any binding agreement on the subject; and I am able to say that, before we do arrive at any such agreement, we shall be prepared to make a full public announcement of our views to Parliament.

LIGHTHOUSE ILLUMINANTS' COMMITTEE—SCIENTIFIC EXPERIMENTS.

Baron HENRY DE WORMS asked the President of the Board of Trade, Whether it be true that, at the suggestion of Sir James Douglass, one of the competing exhibitors before the Lighthouse Committee, Mr. Wigham, another exhibitor, has been restrained from using more than two tiers of superposed lenses; whether the reason alleged for this was that the present experiments are tentative; whether the Board of Trade has not provided the money for final and not tentative experiments; and, whether, before the close of the experiments, a trial will be allowed to each of the competing exhibitors?

Mr. CHAMBERLAIN: I am informed, Sir, by the Secretary to the Lighthouse Illuminants' Committee that it is not true that such a suggestion as the hon. Member refers to was made by Sir James Douglass. The Question is altogether founded on a misapprehension of facts. What has been under the consideration of the Committee is the order in which the experiments should be made, and the Committee have decided that they would commence by comparative tests with two centres of light, going on afterwards, if necessary, to similar tests with three or more tiers of light.

POOR LAW GUARDIANS (IRELAND) BILL.

Mr. M'COAN asked, Whether the Government would facilitate the progress of the Poor Law Guardians (Ireland) Bill, which, with an Amendment on Clause 4, had received general acceptance, although it had been blocked by the hon. Members for Bridport and Roscommon?

Mr. TREVELYAN said, the Government would place the Amendment on the Paper, so that it might be printed in Thursday's Papers. As to the progress of the Bill, he only saw one block—that of the hon. and learned Member for Bridport (Mr. Warton). The Government were anxious to facilitate the progress of the Bill, but preference must be given to the Irish Labourers' Bill.

ORDER OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 22nd June.*]

[NINTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Corrupt Pracices.

Clause 5 (Punishment of person convicted on indictment of corrupt practices.)

Mr. BIGGAR moved to insert, in page 2, line 31, before the word "personation," the words "undue influence or." It seemed to him that the great evil which ran all through the Bill, so far as he could see, was the very slight distinction which was drawn between very great offences and very venial ones. Undue influence and treating seemed to be regarded by the Bill in very much the same light as personation and bribery.

Question proposed, "That those words be there inserted."—(*Mr. Biggar.*)

MR. LEWIS wished to draw the attention of the Committee, in a very few words, to the very great alteration which was made by this clause. At the present time, if a man was guilty of bribery he was subject to one punishment; if guilty of treating, to another; and if guilty of the exercise of undue influence to another. The difference between the three was considerable. But now it was proposed, by this clause, to put all three offences into the same scale; and, although his own Amendment was not now before the Committee, he just wished, by way of illustration, to point out the very great alteration that was made in this section with reference to treating. At the present time, treating, when done by strangers, and not by the candidate, was a very small offence, and was punishable only with a fine; but it was now proposed to include it in the wide definition of corrupt practices, all of which practices were to be subjected to one maximum of punishment. He would not now refer to the very heavy character of that punishment, as he should have a few words to offer on the subject when they came to deal with the question of hard labour; but what he wanted to draw attention to was the importance of keeping a distinction between things that were essentially different, such as treating, undue influence, and bribery. He would not now say what he should have to say when his own Amendment came to be discussed; but he was speaking in the sense of his own Amendment. It was important to follow out what the Attorney General had already done in previous matters, so as to recognize the distinction that existed between the several classes of corrupt practices.

MR. RYLANDS said, he could not agree with his hon. Friend, believing that the adoption of such a principle would only weaken the hands of a candidate who was anxious to put a stop to these practices. The effect of arming the law with a severe punishment for such offences would, he hoped, tend to make men more careful as to how they indulged in such practices; and that would strengthen the hands of candidates who really desired to carry on elections in a pure and satisfactory manner.

SIR GEORGE CAMPBELL said, he thought a distinction ought to be made in the case of treating; but he was glad to see a levelling up of the punishment for bribery, as one year's imprisonment for wholesale bribery was a great deal too little.

MR. T. P. O'CONNOR said, he was anxious to add a word, as the Attorney General was going to resist this Amendment. He quite sympathized with the proposal of his hon. Friend the Member for Cavan (Mr. Biggar). The Attorney General had, unfortunately, in spite of the very strong protests of the Irish Members, still left spiritual influence as one of the matters which would invalidate an election; but the hon. and learned Gentleman must have been rather astonished to find that some of the most pronounced Ministerial journals in the country had taken up the view advocated by the Irish Members, and had opposed the view maintained by the Government. However, the point for which the Irish Members contended would be much better raised upon a subsequent Amendment; and he would appeal to his hon. Friend the Member for Cavan not to put the Committee to the trouble of dividing upon the present proposal.

THE ATTORNEY GENERAL (Sir HENRY JAMES) wished to point out that the effect of the Amendment, if carried, would be that the two offences dealt with would go without any punishment at all. He did not think that two such corrupt practices should be left out of the category altogether.

MR. BIGGAR said, that in response to the appeal of his hon. Friend the Member for Galway (Mr. T. P. O'Connor) he would not take a division upon the Amendment; but he still felt strongly, in spite of the observations of the Attorney General, that these four separate offences should not be included in the same category. The Amendment might, however, be raised in another form at a subsequent point. A speech of an ambiguous character might be held to be undue influence, and the person who made it might become liable to a very severe punishment. However, he would ask leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. LEWIS moved the omission of the words "with or" in page 2, line 34, his object being to take away the power of inflicting hard labour as a part of the punishment. He was not prepared to carry that to an extreme, or to say that it should not be in the power of the Judge to give hard labour in a case of bribery; but he should like to see a distinction made between the greater and the lesser offences. He thought they were going rather far in regard to the question of treating. By the Act of 1854, which was, among other things, to remove doubts as to whether the giving of refreshment to a voter was or was not according to law, it was declared to be an illegal act, and it was provided that any person offending should forfeit the sum of 40*s.* to any person who should sue for the same, together with the costs of the suit. That was the penalty in 1854, and it was now proposed to make the punishment a year's hard labour, with a fine of £200. He was not prepared to say that the former punishment was sufficiently severe—he did not think it was; but this was going to the very extreme at the other end of the pole, and there was no reasonable ground for suggesting that there should not be a distinction between cases of treating and cases of bribery. It was an enormous punishment to hang over the head of any unfortunate person who might be beguiled unwittingly into an act of a doubtful character; and it was perfectly obvious that, under the terrors of such a provision, many jurors would refuse to convict, because they believed the punishment to be too severe. He did not wish to take up any time upon this point; but he asked the Committee to make a distinction between bribery and treating, and not to leave it in the power of any Judge to inflict hard labour for treating.

Amendment proposed, in page 2, line 34, leave out "with or."—(*Mr. Lewis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) wished to know whether the hon. Member proposed to retain the punishment of hard labour for bribery?

Mr. LEWIS said, he would not interfere with it in cases of bribery.

The ATTORNEY GENERAL (Sir Henry James) said, he could not accept the Amendment, for the clause was necessary as it stood if the House was to deal effectually with the offence of treating, or otherwise a constituency might be corrupted almost with impunity under the present law. He knew of one important case where a person threw the public-houses open from an early hour of the morning at the time of an election, and the election became an impure one from that hour. There were people who wished to punish that person who had so acted, but they had not the slightest power to do it. The man simply laughed at them, and the result was that the constituency was demoralized by the action of that one man. There was going to be some alteration in the law, and inasmuch as treating always was a corrupt practice, why should it be dealt with otherwise than any other corrupt practice? The punishment was, no doubt, a severe one; but only in very grave cases would it be inforced, and nobody who was guilty of treating by an agent could be tried under this clause. He could not recollect any prosecutions for corrupt practices in other than very serious cases on the Report of Commissioners. Parliament desired to deal with treating, supporting the law as it now was, as a serious corrupt practice; but how could it do so otherwise than by making the punishment severe? It would have a tendency to encourage a certain class of offences if distinctions were drawn between these various corrupt practices, and it was laid down that treating was more venial, and therefore required less punishment. He had said over and over again that he could make no such distinction, and that treating was even more dangerous than bribery; there ought, indeed, to be no difference in degree between these four corrupt practices. Another thing he wished to point out was this. No doubt the punishment was severe; but it would be in the discretion of the Judge, and not of one Judge alone, for these cases would be upon information, and would be heard by three Judges sitting to apportion the sentence. There would, therefore, be sufficient precaution taken to guard the infliction of the maximum punishment. Hon. Members might rely upon it that the power to inflict the maximum punishment would never be used except in extreme cases. Even then a man would have to be found guilty by a jury, and it would be in the discretion of the Judge to apply what sentence he thought fit.

Mr. ASHMEAD-BARTLETT said, the Attorney General had informed them that nobody who was guilty of treating by an agent could be tried under this clause. He should like to understand how that was, in view of the wording of the clause in line 11?

The ATTORNEY GENERAL (Sir Henry James) said, the clause dealt with "any person who commits any corrupt practice." That was clearly not by his agent.

Mr. GORST said, he thought the Government were themselves to blame for the position in which things had now got. They might have taken either one of two courses. They might have declined to classify corrupt practices at all, and made the punishment uniform, trusting to the Judge to discriminate; or they might have adopted a reasonable classification. But, as a matter of fact, they did neither the one thing nor the other. They did make a distinction, because they gave a separate punishment for personation. If they had done so in that case, why should they not do it also in the case of treating or undue influence? He thought the Government would much improve the clause if they would do one of two things. They should either give one uniform punishment for all corrupt practices, trusting to the Court which decided the case to discriminate between one and another; or they should have a proper classification and a schedule of punishments, with a different maximum for treating, for bribery, and for undue influence.

The ATTORNEY GENERAL (Sir Henry James) said, that when the Ballot Act was being passed in 1872, it was found that very great evils might arise through the amount of personation, especially as there was great difficulty in tracing out the fraud. The Government, therefore, had to safeguard against personation, and he thought it right that that should be done. The Act of 1872 imposed the penalty, and it would hardly be right to go back upon that.

Sir R. ASSHETON CROSS said, he thought the candidate ought to be protected, and therefore he was willing to leave the matter to the discretion of the Judge. There was an Amendment of some importance a little further on—that "and" should be left out, and "or" substituted. He could imagine a very bad case of treating or bribery, for which the Judge ought to give a very severe punishment; but he did not mean to say that every case should be treated with equal severity.

Sir EARDLEY WILMOT said, he was very glad that the Attorney General was determined to stand by the clause. They knew very well that the offence of treating existed long before the corrupt practice of bribery. It was in 1696 that the first Act of Parliament was passed to repress treating, which was then very prevalent; and in every Act since they found the offence of treating recognized and laid down as a corrupt practice. Not only that, but the Courts of Law had held from time to time that it was a misdemeanour at Common Law. Parliament could make it a Statutable misdemeanour, but it could not alter it as an offence at Common Law. Whatever might be now done would make no difference with regard to the law against treating, which would continue to be a misdemeanour at Common Law punishable with fine and imprisonment.

Mr. RAIKES said, he quite appreciated the difficulty which the Attorney General had in dealing with this matter, and understood his objection to establish a complete classification; because, no doubt, wholesale treating was much worse than isolated bribery. At the same time, he would like the Committee to consider whether the enforcement of this clause, as it stood, was the proper way of attaining the object in view, and whether jurors were likely to convict when they knew that the Judge might impose such a serious punishment as hard labour. He had heard a good deal of one of the celebrated trials of last year, when certain agents at Macclesfield were found guilty, and he remembered that the feeling in the Assize town where they were being tried was rather one of commiseration for them than of any great indignation for their guilt. Indeed, if it had been known that such a sentence as that pronounced by Mr. Justice Denman would have been passed, he was convinced that neither of the men would have been convicted. That being so, he was inclined to fear whether, if the clause was passed as it stood, its effect might not be to prevent people from being convicted. He was anxious that serious offenders should be convicted; but, having regard to the great chance of failure in such cases, he should be very glad if the Attorney General could see his way, before the discussion closed, to lesson the stringency of the clause in some way.

Mr. H. B. SAMUELSON said, that hitherto offences of electoral corruption had been dealt with very tenderly indeed. There had been a very tender feeling about them generally, and he maintained that such offences would never be eradicated until the offenders were treated as what they really were—serious criminals, and not as merely venial offenders. Holding that view, he should support the retention of the words in the clause. At the same time, he had an Amendment to propose further on which would prevent those who really were only venial offenders from being too severely punished.

Question put, and *agreed to.*

Mr. LEWIS moved, in page 2, line 35, to omit the word "and," in order to insert the word "or." He explained that the object of this proposal was to give an option to the Judge to fine simply, if he thought the case was one which would be met by a fine. No one would dispute that where the offence was really trivial a fine ought to be sufficient, and if a discretion was to be given to the Judge at all—and this was done in almost every clause—why should he not have it in trivial cases which were really not large enough for imprisonment, and in which justice would be amply satisfied by the substitution of a fine? Surely, the Attorney General would allow such an alternative where the class of cases really admitted of it. It would be a waste of time to say more in support of such an obvious proposal.

Amendment proposed, in page 2, line 35, to leave out "and," and insert "or."—(*Mr. Lewis.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, that substantially the word "and" in this line really meant "or," inasmuch as the Judge could, if he thought fit, order one day's imprisonment, which, commencing with the opening of the Assizes, was no imprisonment at all. The Judge, therefore, could always if he liked substitute a fine for the imprisonment, or, if he chose to give the maximum punishment, it was open for him to do so. The question, therefore, was not really worth discussing, and there was no need to make any alteration in the clause.

Mr. H.B. SAMUELSON said, that that was the very thing he wanted to prevent. He wanted to insure that the same punishment should be meted out to the rich man as to the poor man; but if they allowed a fine to be substituted for imprisonment, the rich man might be fined a large sum, which would really amount to nothing to him, while the poor man would have to go to prison. It was not a good thing to allow the rich man to escape by the payment of a fine, while the poor man, who had not a penny to pay with, had to go to prison.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he quite agreed with the principle that the rich man should not be let off with a fine; but he was quite sure that the Judges would deal with the matter properly. They would say—"The fact that this man is rich is the very reason why a fine would be no punishment to him at all." He was ready to accept the Amendment proposed.

Mr. GORST said, he thought that if a discretion was to be given to the Judge it should be given as it stood in the clause, under which the Judge could either fine or imprison, or fine and imprison.

Sir ALEXANDER GORDON wished to know whether imprisonment was to be done away with?

The SOLICITOR GENERAL (Sir Farrer Herschell): Oh, no.

Mr. R. H. PAGET said, he hoped the Committee would support the Government in this matter, as they had expressed their willingness to accept the Amendment proposed by his hon. Friend the Member for Londonderry (Mr. Lewis). The only object of the Amendment was to introduce greater clearness into the clause.

SIR ALEXANDER GORDON wished to point out that one of the candidates at an election might be the popular candidate, who might win by a large majority—a majority, say, of 1,000 votes or more. But the rich and unpopular candidate who was being defeated might go and get up a corrupt practice with anybody who chose to undertake it, and that might void the election. The guilty party might get off with a fine or a slight imprisonment, and there would be no redress for the other candidate whose election would be upset.

Question put, and *negatived.*

Question, "That the word 'or' be there inserted," put, and *agreed to.*

SIR WILLIAM HART DYKE moved to add to Sub-section 1 of the clause the following words:—

> "Or on summary conviction shall be liable to be imprisoned, with or without hard labour, for a term not exceeding four calendar months, and to be fined any sum not exceeding fifty pounds."

He said he proposed this Amendment in all earnestness, and with no notion whatever of injuring the Bill in any degree. He proposed it when the Bill was in Committee last Session, and the proposal was spoken of in terms of approval by at least one Member of Her Majesty's Government. His object in moving the Amendment was to give to any candidate who was earnestly determined, by himself or his agents, to fight a pure contest, the opportunity of immediate protection on the spot against any corrupt practice. He might be asked why he was setting up an Amendment which was rather contrary to the scope of the Bill. If he were asked, with regard to the constituencies of the country at this moment, whether they were corrupt or not, he thought he should be right in replying that a large number of them were pure. He moved this Amendment with some little sense of responsibility, because he was intimately concerned with the General Elections of 1874 and 1880, and he was also engaged in other contests at bye-elections for 12 years; and his experience had led him to the conviction that the constituencies which were pure in 1874 were not so pure in 1880. They had, therefore, to deal with an evil which was not stationary, but with one which was steadily, gradually, and surely increasing in all constituencies. There would be very little use in passing a measure which did not provide an adequate and simple machinery whereby a candidate, if he found he was not getting fair play, might have power to summon the delinquents before some tribunal sitting on the spot. What were the advantages that might fairly be urged in reference to such a course? As the Bill stood at present, action under it was only to be taken after Petition; but, by this Amendment, action could be taken so immediately that the delinquent could be caught at once and taken red-handed before the Justices and adequately punished at once. He could not help thinking, however, that when they considered the grave circumstances that might be involved there should be power to appeal. There was another thing he wished to urge in reference to this point. Hon. Members knew that Petitions were often checked in this way—the mischief commenced during the election, and the temptation pressed very hard on the other side, although the candidate upon that side might have been endeavouring to fight a pure election. The consequence was that the same corrupt practices were resorted to on both sides; and it was not unfrequently the case that a Petition was avoided, neither side having clean hands, and a constituency became gradually corrupted by those very means. The temptation came so very strongly forced upon the agents, and upon others who were interested in a particular candidate, when they found that their voters were being taken away from them by the exercise of corrupt means, and when they found themselves unable to resist it, that there was a general resort to corrupt practices. There was another point in reference to this Bill, and the Petitions likely to be presented under it, which he desired to urge. He was convinced that the penalties under the Bill were so severe that any person would be cautious indeed before he incurred the great responsibility and the certain unpopularity of presenting a Petition. They were told that tricks would be played, that evidence would be got up, and, as Party feeling would run high, there was a risk of justice not being done. He had not much to say upon that point; but his own knowledge of the way in which Petitions had been got up assured him that spite and malice generally prevailed for some time after an election was over. He had never known an instance in which one side or the other, when it had suffered defeat, did not arrive at the conclusion that the result had been brought about by the malpractices of their opponents. The consequence was that a Petition was hastily presented complaining of the prevalence of corrupt practices at the election; and when the whole matter was brought to a test it ended in a great deal of wrangling and hard swearing, with very little good result. He, therefore, thought it would be advantageous to provide some simple machinery by which a delinquent might be brought up and tried at once while the election was taking place. He had nothing to add, except in regard to the tribunal before which such cases would be tried. For his own part, he would be satisfied with a tribunal composed of two Justices sitting in Petty Sessions; but if the Committee considered the Amendment worthy of discussion or consideration, he apprehended there would be no difficulty in devising an adequate tribunal. He placed the Amendment before the Committee in perfect good faith; and he believed that the adoption of some such proposal would do a great deal towards getting rid of bribery, and keeping a constituency pure during an election contest. He begged to move the Amendment.

Amendment proposed,

In page 2, line 36, after the word "pounds," insert "or on summary conviction shall be liable to be imprisoned, with or without hard labour, for a term not exceeding four calendar months, and to be fined any sum not exceeding fifty pounds."—(*Sir William Hart Dyke.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was sorry that he could not accept the Amendment; but there were very strong reasons in his mind against it. The proposition was that the trial of a man for corrupt practices should take place before the local Justices, and that it should be conducted, according to the argument of his right hon. Friend, in the warmth and heat of the election, and before the very persons who, in nine cases out of ten, would have been active political partizans supporting the candidature of one person against the other. He was of opinion that proceedings before such a tribunal were most inexpedient, and would tend to bring justice into perfect contempt. It would not improbably happen that these very Justices, on the eve or morning of the election, would be, by virtue of their position in the locality, acting either as chairmen or members of committees, canvassing with the candidate, or making violent harangues in his behalf, and in other ways taking an interest in the election. Yet it was proposed that gentlemen in that position should be asked at once to re-assume their judicial temper and action. He thought if they were endeavouring to find a really bad tribunal in the country, it would be perfectly impossible to find one that would be worse for dealing with such cases than the summary and local tribunal now suggested by his right hon. Friend. The Government had been reproached for imposing penalties that were too harsh and severe; but, in imposing them, they were of opinion that they ought only to be inflicted after a fair and impartial trial, and by a tribunal which could not possibly be charged with partizanship. They had taken care in the Bill that no man was convicted of corrupt practices except by the verdict of a jury. By the 36th section of the Bill it was required that the Director of Public Prosecutions should, by himself or by his representative, attend the trial of Election Petitions and prosecute offenders; and there was power to the Court to hear the case, if the offence was punishable on summary conviction, or to commit the offender for trial. But, although they gave the Judge the power of imprisoning a man for six months, the Court was relieved from all suspicion of local influence, and the accused person had the option of claiming the right of being tried by a jury. He contended that they ought to take very great care to protect a man against the possibility of being tried by a partial Court in the heat of an election contest. No doubt, by the 40th clause, on an application made six months after an election, if there was reasonable cause to believe that corrupt or illegal practices had been committed, or illegal payments made, a Commissioner might be appointed to hold a Court for the trial of persons charged with such illegal practices or illegal payments. But even in that case, although the Court had power to imprison an offender for three months, or to order him to pay a fine not exceeding £100, it was necessary, before proceeding to try summarily, to give a person charged with having committed any corrupt or illegal practice the option of being tried by jury. If persons were to be liable to be sent to prison for four months, it was clear that they ought to have an impartial trial. He, therefore, hoped the Amendment would not be pressed.

Sir HARDINGE GIFFARD said, he admitted that the objections taken by the Attorney General to the particular tribunal proposed by the Amendment were very cogent; but he was quite sure that his right hon. Friend (Sir William Hart Dyke) was more anxious about the principle of the Amendment than he was about the particular machinery he proposed to provide for carrying it out. The Attorney General had not, he thought, dealt with the one most important point in the conduct of elections; and he would appeal to the experience of his hon. and learned Friend. There had been various enactments which made certain acts on the part of the voters a misdemeanour; but he would ask his hon. and learned Friend, if in his experience, he had ever known anybody prosecuted for those offences? He (Sir Hardinge Giffard) certainly never had; and yet it constantly cropped up on the trial of Election Petitions that such offences had been committed. Witness after witness got into the box and unblushingly confessed that during the election he had committed offences which were prohibited by Act of Parliament. Everybody who knew anything about the election knew and admitted that such offences were going on on both sides; and yet no power interfered to put a stop to them, because nobody would take the trouble to set the law in motion. As a matter of fact, it was nobody's business to do so; and when an election was over everyone wanted to be as good-humoured as possible, and these matters escaped investigation. But when an Election Petition was presented, the commission of these illegal acts cropped up accidentally, and it was then admitted that multitudes of persons had systematically disobeyed the law. His own opinion was that the adoption, at any rate, of the principle of the Amendment would go far to secure a pure election. He fully admitted the difficulty about the tribunal; but, at the same time, he thought it was a difficulty that might be got over. The Attorney General was himself, in a great measure, responsible for the introduction of a system by which a sort of Commission was sent round the country to try offences committed at municipal elections. Where corrupt practices were alleged to have taken place at a municipal election a barrister was appointed to act as Judge *pro hâc vice.* That system might be extended to Parliamentary elections, and it would not be difficult to have persons elected for that purpose all over the Kingdom. That would get rid of the local element, and he did not see why they should not have a tribunal sitting locally on the spot without incurring very great expense.

The ATTORNEY GENERAL (Sir Henry James) said, that the tribunal in the case of municipal elections was a special Commission.

Sir HARDINGE GIFFARD said, that, no doubt, it was a special Commission after the offence had been committed. What was wanted in this case was to have someone on the spot, so that an offender might be handed over and tried at once. It was most important that they should have a tribunal which, by its instant interference, could stop the corrupt practices which everybody must know were being carried at an election. What happened now was that when the election was over, the whole thing was passed by; and what his right hon. Friend wanted to secure was the instant trial of the offender then and there. Although he fully admitted all that the Attorney General had said against permitting a trial of this sort by a local tribunal, in the heat of an election, he was of opinion that a satisfactory tribunal might be found for dealing with the matter.

Mr. GORST said, that, after hearing the way in which the Amendment had been met by the Attorney General, he could not believe that Her Majesty's Government were really in earnest in endeavouring to put down bribery. He entirely omitted the Attorney General personally. He thought his hon. and learned Friend would be glad to concede the Amendment if he could; but it would appear that he had had orders from his official superiors that the Amendment was to be resisted to the last; and if that was so, and if the Government did not accept an Amendment of this character, he, for one, said—and he said it advisedly—that he did not believe they were sincere in their desire to put down corrupt practices. What was the history of the past? This was not a new law which they were placing upon the Statute Book for the first time; but it had been there since 1859, and the offence of bribery had been punishable with imprisonment since the year 1854. But had they had any convictions? Had they stopped the offence of bribery? His right hon. Friend the Member for Mid Kent (Sir William Hart Dyke) said, on the contrary, that it was on the increase. Why was that? It was because experience proved that the offence could be committed with impunity; and nobody knew better than the Attorney General why it could be committed with impunity. It was because procedure by indictment was so cumbrous, costly, and uncertain, that no one dreamt of sending a man for trial to the Assizes. Unless Her Majesty's Government would substitute for this uncertain, loose, and costly procedure some sure, sharp, quick, and certain mode of punishing the offence of bribery, they might depend upon it the law would never be a terror to the people. In this instance, he would ask the Committee to look at the question of expense. Who was to pay the expense of an indictment for bribery? It was not one of the expenses for which the prosecutor was re-imbursed out of the Consolidated Fund. If a man wished to prosecute another for bribery, he must be prepared to bear the whole expense of the indictment, to pay counsels' fees, and the expenses of witnesses. He knew that occasionally two or three persons out of many thousands were prosecuted by the Public Prosecutor at the public expense; but that was a very rare and exceptional thing, and when it did take place, only two or three individuals were prosecuted out of some 10,000 or 20,000 offenders. Then, again, look at the delay that occurred. The offence was triable only at the Assizes, and the prosecutor must wait until the next Assizes before he could bring the case under the consideration of the Court. In the next place, the offence was triable by a jury; and, the sympathies of juries being almost invariably with the briber, the case was one in which it was extremely difficult to obtain a conviction. The Government last year prosecuted a number of cases; but how many convictions did they get? He would like the Solicitor General to tell the Committee if he did not know personally of many cases in which the offence was quite as general as in those in which there had been convictions, but in regard to which juries declined to convict. His hon. and learned Friend the Attorney General had drawn a picture of local Justices who had taken an active part in an election having the indecency to sit afterwards on a tribunal to try an election offence. He (Mr. Gorst) did not think the Justices of this country were so entirely lost to all sense of decency, that they would take a prominent part in sitting upon a tribunal and adjudicating upon an election offence in which they had themselves been concerned. He was quite certain that if a power of this kind were given to a local Court, that local Court would be formed for the purpose out of borough or county Justices, whose motives would be above suspicion. In every borough they would be able to find two or three sensible and discerning men who took very little part in election matters, and who preferred to remain aloof from the turmoil of a contested election. It was such men who ought to sit on a tribunal of this nature; and he believed that, by the universal consent of both sides, they would be asked to sit in order to try an election offence. So far as the county Justices were concerned, there was an abundance of men in every part of every county who did not take an active part in election contests. The Attorney General, with extraordinary inconsistency, although he would not entrust this Court with the power of inflicting a fine or three months' imprisonment for corrupt practices, would entrust it with the power of inflicting a fine for illegal practices. If it was improper for such a tribunal to try a case of treating, or a trumpery case of bribery, it was equally improper for it to try a case in which an illegal practice, such as the employment of a band, or the use of colours, had been committed. Then, again, the Attorney General contended that in every case in which a man was brought before a local tribunal he would refuse to be tried by it, and would insist on being tried by a jury under the Summary Jurisdiction Act. [The ATTORNEY GENERAL dissented.] He presumed that the Attorney General, by shaking his head, was not acquainted with the provisions of that Act. The 17th section of the Summary Jurisdiction Act of 1879 gave a right to any person sentenced to four months' imprisonment to claim to be tried by a jury; and he imagined that the term of four months had been purposely selected by his right hon. Friend the Member for Mid Kent (Sir William Hart Dyke) in order to give an accused person, if he liked, the option of going before a jury. The Summary Jurisdiction Act provided that any person charged with an offence for which he was liable, on summary conviction, to imprisonment exceeding four months, and not being an assault, might, on appearing before the Court, and before the charge was gone into, but not afterwards, claim to be tried by a jury. Then, what came of the Attorney General's objection to this Court, seeing that it was a Court in which any person, if he thought fit, could refuse to be tried, and could claim to be tried by a jury? Moreover, it was a Court from which there was a right of appeal, if the person convicted felt grieved by the decision of the local tribunal. Consequently, if anyone thought that the Court was partial, and had given an unfair decision, he would have the right to appeal to the Quarter Sessions, where the case would be reheard, with every element of publicity and perfect security for the proper administration of justice. In this case only the Attorney General proposed to give jurisdiction to the local Justices, and there would be no appeal, because it was not a case of imprisonment, but simply one of fine, although the man might be sent to prison in default of payment of the fine. His hon. and learned Friend did not scruple to give a local tribunal the power of imprisonment in default of the payment of a fine, although he pretended that he dare not entrust the same tribunal with the trial of a corrupt practice, for which there was to be a power of refusal to be tried by the Court, and, in the event of a conviction, an appeal to the Court of Quarter Sessions. He thought the only objection which could be made to this Amendment was that this principle was too favourable to the defendant; and it was conceivable that there might be cases in which it would open the door to collusion. For instance, the defendant who had been guilty of gross corrupt practices might be summoned before the Bench of Magistrates, in order that he might be acquitted, convicted, or dealt with in some way, so as to avert the chance of being taken up upon a more serious charge, and committed for trial to the Assizes. No doubt, there would be a danger of such a thing happening; but he did not think it was a serious one. In the first place, they would have the security of the tribunal itself; and if they had a Public Prosecutor who was worth anything he would see that justice was not defeated in that way, but that the case would be taken up by the Prosecutor himself, and properly proceeded with. He believed that the Amendment submitted by his right hon. Friend the Member for Mid Kent (Sir William Hart Dyke) was a most important one; and he thought it should be pressed by the Committee upon the attention of the Government, until the Government were induced to give way. He unhesitatingly asserted that if they relied upon the cumbrous process of indictment at the Assizes as the only means by which corrupt practices were to be dealt with, they would not succeed in putting down those practices at all.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he did not dispute the statement that this was an important Amendment; but he regretted the charge which the hon. and learned Member for Chatham (Mr. Gorst) had made against the Attorney General, of having obviously received orders from higher authorities to oppose the Amendment. [*Cries of* "Hear, hear!"] All he could say was that he regretted to hear the cheer of those who cheered that statement; and he should not say a word in answer to it. He thought the Government had endeavoured fairly, in the conduct of the Bill, to meet the views of hon. Members opposite. They had endeavoured to meet those views by arguments as well as they could. Their arguments, he dared say, were not always, to the mind of hon. Gentlemen opposite, conclusive; neither were the arguments of hon. Members opposite always conclusive to Her Majesty's Government. But hon. Members opposite expected, if the Government thought there was danger in an Amendment, that they should give way to it because the hon. and learned Member for Chatham (Mr. Gorst) thought they could not be in earnest if they did not. He could assure the hon. and learned Member that they would consider every argument he used with the attention which an expression of opinion coming from him deserved. The hon. and learned Member said that this was an important Amendment; and he (the Solicitor General) did not for a moment dispute the assertion. He quite agreed that if they could get a tribunal to which they could safely entrust the matter such a course would be extremely desirable. At any rate, they had shown that they considered it a desirable course, because they had gone in the same direction in two other cases; in the first place, wherever the offence was brought out in the trial of an Election Petition, and, in the next, in regard to illegal practices. If, in the hearing of an Election Petition, evidence was given to show that there had been bribery and corrupt practices, they had provided machinery for the summary trial of such offences before the Judges who heard the Election Petition. That provision was adopted on the recommendation of the Select Committee of 1875. They had, however, gone beyond that; and if there was reason to believe, on the representation of 10 electors or the Director of Public Prosecutions, within six months after an election, that a considerable number of the electors had been guilty of some corrupt or illegal practice, a special tribunal was to be created, under Clause 40, to go down to the county or borough and try such cases summarily. The Government had, therefore, shown that they were sensible of the importance of a summary trial. What they were not prepared to do was to remit the questions involved in the Amendment to local Justices. It was said that the magistrates they could not trust would never sit on the Bench for the purpose of adjudicating upon questions of this nature; but he knew of circumstances which occurred in two cases which had come under his own knowledge personally, which induced him to say that he could not trust the local magistrates, because in those two cases, when the charges came on for hearing, it was found that the Bench of Justices was constituted as it had never been constituted before. Persons appeared upon the Bench and sat to adjudicate upon those cases who had rarely sat upon the Bench of Justice before, and the cases were dealt with in an entirely exceptional way. It was quite true, as the hon. and learned Member for Chatham said, that there could be an appeal by the accused if he liked; but did not the hon. and learned Gentleman see what would be the course that would be invariably pursued? The political views of the Justices who sat on the Bench would be very well known. Almost all of them would be active politicians; and what would happen? A man was taken before a tribunal thus constituted. He would look at its composition, and he would say to himself—"I like the complexion of it, and I will be tried by it by all means." If, on the other hand, after looking at the tribunal he did not like the complexion of it, he would say that he preferred to be tried by a jury. Therefore, such a tribunal would not, by any means, secure a greater certainty of justice, because, if the accused did not like the look of the tribunal, he would go to a jury; whereas, if he did like the look of it, he would elect to be tried by it, and a conviction would probably not be secured, although the evidence might be very strong. If anything could be done to extend the provisions of Clauses 36 and 40 the Government would gladly do it. Their desire was quite in harmony with that of the right hon. Gentleman opposite—namely, to secure, as far as possible, the aid of local tribunals in cases where they could safely do so. Therefore, they would be prepared, if expedient, to amend Sections 36 and 40; but they did not feel that they could adopt the Amendment of the right hon. Gentleman, or that they would obtain by it a more certain administration of justice.

Sir R. ASSHETON CROSS said, the question was really one of very considerable importance. What they desired to do was to put down bribery, treating, and corruption of all kinds; and he could not help thinking that the most effectual way of doing that would be the knowledge in the county or borough that if bribery was going on it must be put a stop to there and then, and the men taken up. He could not help thinking that if one or two men were taken up there and then it would have more effect than anything that could happen six months afterwards. The Solicitor General appeared to have arrived at the same opinion, that it was important to do this, if it could be done. If they really meant to put down bribery and corruption—and this would be an effectual way of doing it—by all means let them do it, if they could see their way to it. It was only a question of the balance of evil, and he was honestly of opinion that the taking up of one man and sending him to prison for four months during the course of an election would have a greater effect than sending him to 10 months' or a year's imprisonment six months afterwards. What usually happened was this. In the middle of an election somebody came down to a borough whom nobody knew, and they heard tell of sovereigns and half-sovereigns being mysteriously distributed. That was what they wanted to stop. If they could take up that man at once—he did not care whether they could establish agency or not—they would go far towards checking the evil. It was too often the case that public-houses were kept open during an election, and serious acts of bribery were committed in them. Let them take the men by whom they were committed before a tribunal then and there, and they might depend upon it that they would do more to stop corruption during that election than by any penal consequences they might inflict afterwards. It was only, as he had said, a balance of evil; and he now came to consider the question, could they find a tribunal, or could they not? The Attorney General had objected to the local magistrates; and he (Sir R. Assheton Cross) was bound to say that he agreed with what had fallen from his hon. and learned Friend near him (Sir Hardinge Giffard) that there were great objections to local magistrates, and that if he were a local magistrate himself he should object to be placed in the position of trying these people; but he saw no reason why they should not extend the machinery because the expense of getting someone to sit with the Mayor for this purpose, as far as the case of the election committees was concerned, would be very trifling. If they placed it in the power of the Mayor to say that he would have some independent person sent down by the Public Prosecutor for the express purpose of trying these cases the responsibility would be very small, and they would at once have their tribunal, and a tribunal to which there could be no objection. If the Attorney General would only say that, looking at the serious questions involved, and how necessary it was to put a stop to bribery on the spot, he would consider what could be done in the matter, the Committee would, he (Sir R. Assheton Cross) believed, have made a great advance. He was quite certain that if the provisions of the 36th and 40th sections were extended to this particular question, that would do more to put down bribery than any other means.

MR. JOSEPH COWEN said, he entirely agreed that if they intended to put down bribery and corruption the best thing would be to let the constituency know that the process would be short, sharp, and certain. They were all agreed on that point; and the only difficulty was as to the tribunal. He thought that a tribunal ought to be found, and he did not see why they should not utilize the County Judges, or the stipendiary magistrates, where stipendiary magistrates existed. He did not entertain any regard or affection for the "Great Unpaid;" but he did think that on the Bench of Magistrates men could be found who were altogether free from political influences. He did not know whether the Attorney General could see his way to the adoption of this suggestion; but he thought it was practicable. At the present moment they selected a certain number of the Judges to try Election Petitions, and they set them aside for that special work. Was there any reason why, among the county and borough magistrates, a certain number of Justices should not be selected for the special purpose of trying election cases? [*Cries of* "No!"] Hon. Members said "No;" but he asked them to consider the proposal fairly. He thought it was quite possible that in every county and borough they might find three or four men who could be set aside for that purpose; and the mere fact of the existence of such a tribunal would act as a terror and a restraint upon the constituency. Every man was not a Party politician, and they knew that there were many magistrates who took no active part in politics. What he would suggest was that they should select three or four of these men in advance of a General Election, and allow them to be regarded as the election or petition magistrates. He thought that would be a cheap and easy way of meeting the difficulty; but he merely threw it out as a suggestion to the Government. Whatever proposal might be adopted, the Amendment of the right hon. Gentleman opposite was most important, and one well worthy of careful consideration. It was said that the Bench of Magistrates was objectionable, because they would take a political interest in election contests. It was not desirable that they should push that objection very far, because, at the present day, they had manufacturers acting as magistrates and adjudicating upon questions concerning the employment of labour; and he believed that game-preserving magistrates were not always unwilling to deal with poaching cases. But, be that as it might, he thought they could cheaply and easily find a tribunal to decide cases of this kind in a manner which should be sharp and decisive.

Mr. A. J. BALFOUR said, the hon. and learned Solicitor General had complained of the speech of his hon. and learned Friend the Member for Chatham (Mr. Gorst); but he (Mr. A. J. Balfour) thought the Committee would admit that the speech of his hon. and learned Friend had produced a marked change in the manner in which the Government were ready to deal with the question. When the Attorney General got up to reply to the speech of his right hon. Friend on the Front Bench (Sir William Hart Dyke), he held out no hope, and had nothing good to say for it. [*Cries of* "No!"] At all events, the hon. and learned Member regretted that he could not adopt it, and disapproved of the tribunal suggested by his right hon. Friend. If the Committee seemed generally disposed to think that the Bench of Magistrates was not a proper tribunal for dealing with the question, he (Mr. A. J. Balfour) would not say more upon that point; but if the Government took up that line they ought to alter the Bill, because, as it stood at present, it gave the magistrates power to inflict a fine of £100 and Parliamentary incapacity for five years, without any appeal on the part of the defendant. It was not consistent, then, for the Government to come down to the House and say it was right to give the magistrates power to inflict a fine of £100; but it was not right to give them the power asked for by his right hon. Friend, although, in the latter case, there was a right of appeal. It was impossible for hon. Members on that side to cross the House and select the tribunal. For his own part, he would be content if the Government would announce that they would take the question into their serious consideration, and either by utilizing some tribunal already in existence, or by some new contrivance, would do what they were now prepared to admit ought to be done—namely, give some power of dealing with persons sent down by some central association to corrupt a borough and spend money freely in connection with particular candidates, knowing that at present they could do so with impunity, and with the full knowledge that they might hope to escape punishment, because they could only be reached by a very expensive process, which it was nobody's interest to set on foot. They knew further, that they need not anticipate that they would ever be tried, because they were aware, if they found a trial would be inconvenient, that there would be ample time to convey themselves to some safe place of refuge. Under these circumstances, he trusted the Government would hold out some hope that they would contrive some means or other for dealing with these cases summarily.

The ATTORNEY GENERAL (Sir Henry James) said, he hoped that the Committee would dispose of the question without further debate. The right hon. Gentleman who moved the Amendment had dealt with the matter as if it were a question of summary jurisdiction that could be placed in the hands of the magistrates only. Indeed, he (the Attorney General) knew of no other way in which summary jurisdiction could be exercised. Although his right hon. Friend had mentioned that another tribunal might be suggested, still his leading argument was that these were questions which must be dealt with by the local magistrates only. Of course, the great question was to provide the machinery, and his right hon. Friend had suggested that the Government should work it out for him. The right hon. Gentleman threw the whole burden upon them; but as to the local magistrates, he thought, notwithstanding what the hon. and learned Member for Chatham (Mr. Gorst) had said, that the Committee generally would agree that it was not desirable to place the matter in their hands. [Lord RANDOLPH CHURCHILL: No, no!] Of course, he could not expect the noble Lord to agree. The proposal was that during the time the election was going on, because in some other clauses they took power to take certain cases before the local magistrates after the election was over and when an Election Petition was being tried, they ought, therefore, to provide that electioneering cases arising during the election should also be heard by the local magistrates. He did not think there was any analogy between the two cases, and he certainly thought the system was not one which ought to be extended. The Government had provided that, where isolated cases were brought to light in the trial of an Election Petition, a Commissioner, acting under the direction of the Public Prosecutor, should go down and try them. He did not see what more they could do. It might be suggested that they should send down a Commissioner to every constituency. He forgot what the exact number of the constituencies was; but he took it to be about 350. [An hon. MEMBER: 400.] If there were 400, they would have to send down a paid agent to every one of those constituencies. It was suggested that they should place the matter in the hands of the stipendiary magistrates; but stipendiary magistrates only existed in places where there was a very large constituency, and where, as a rule, it would not be found that the corrupt practices which they wished to meet had any existence. All these were questions which would have to be discussed before they would be able to find the right tribunal. He, therefore, suggested that the Committee should discuss the question on Clauses 36 and 40 of the Bill; and if a tribunal could be found that was satisfactory, and that could be set to work at a reasonable expense, he would be perfectly willing to consider the matter. But it was not advisable to bring the question before the Committee in this small way as a matter of summary jurisdiction only, although, no doubt, the discussion which had taken place had not been without its use. At the same time, for the sake of economizing their time, he hoped the Committee would be allowed to defer the question until they came to either of the clauses which did, to a certain extent, raise the principle and carry out the idea aimed at in the Amendment of the right hon. Gentleman.

SIR WILLIAM HART DYKE said, he was perfectly aware that the question of the tribunal was the chief and almost the only difficulty; and he did not include the tribunal in his Amendment because he knew of that difficulty. There were several Members opposite who were of opinion that the Amendment ought to be amended; and he thought the proposal of his hon. and learned Friend the Attorney General to defer the discussion until a later clause, so that some scheme might then be brought forward by the Government, was, on the whole, a fair one. When they reached the clauses referred to by his hon. and learned Friend, the nature of the tribunal might be fairly and practically discussed; and upon that understanding he was willing to withdraw the Amendment.

LORD RANDOLPH CHURCHILL said, he was afraid that his right hon. Friend was acting with a little precipitation in giving way to the Attorney General on this occasion, because the Attorney General had, at present, promised absolutely nothing. When the right hon. Gentleman first proposed the Amendment the Attorney General said the idea was a very bad one, and he would have nothing to do with it. [The ATTORNEY GENERAL (Sir Henry James): No!] The Attorney General did not make a very long speech. In point of fact, he only spoke for three or four minutes, and he certainly said that the idea was a very bad one, and he would have nothing to do with it. But now, so great had been the effect of the arguments which had been used upon the mind of the hon. and learned Gentleman, that he now told the Committee the idea was a very good one. There was a remarkable difference between the two statements; but the hon. and learned Gentleman added that if the Committee would be good enough to wait for three or four weeks, when they came to Clause 40, he would, perhaps, then be able to arrive at some conclusion upon the matter. Now, what was the use of putting off important principles in that way? In this case there was a most important principle raised. The Government could not say that in raising it hon. Members on the other side of the House were in favour of corrupt practices; but, on the contrary, hon. Members on both sides of the House who supported the Amendment were in favour of putting an instant stop to corrupt practices. Why they did this was that if they did not put an instant stop to corrupt practices the commission of them would void the election. He failed to see where the remedy was if it only came three or four months after the election. It was the election itself they wanted to preserve; and if ample notice were given during the election that any person who committed bribery or any other corrupt practice would be liable to be summoned before the magistrates, he believed it would have a most salutary effect. The persons they wanted to get hold of by this Bill were the Birmingham gang—Messrs. Nuttal & Co.—to whose credit was to be laid at least a dozen Election Petitions. The moment that such persons arrived in a town, let them be closely watched, and the instant the emissaries of the Caucus were detected in their nefarious practices, let them be sent to prison for four months. That was the way to put down bribery. But by holding a local inquiry that did not take place until four months after the election they would never be able to put it down. It seemed to be the desire uppermost in the mind of the Attorney General to have continual Petitions, and to have the election voided on every imaginable ground; but he took no precaution to insure purity of election at the moment the election was taking place. The Solicitor General, in solemn tones, told the Committee that he was personally acquainted with two very bad cases indeed. Where they had occurred, he (Lord Randolph Churchill) did not know. Perhaps it was in the county of Durham; but the hon. and learned Gentleman told them that what had occurred in these cases would utterly prevent him from giving any summary power to local magistrates. Notwithstanding, under the clause which related to illegal practices, the hon. and learned Gentleman was going to give to the very magistrates he held up in the House of Commons as utterly untrustworthy and as partial Judges, the power of sending a man to gaol for three months in default of paying a fine of £20. Where was the consistency of that course of conduct? The hon. and learned Gentleman would not give power to the local magistrates to put a stop to corrupt practices at once, as their action, under this Amendment, would enable them to do in nine cases out of 10; but he would give the same magistrates the power of sending a man to prison for three months for non-payment of a fine ranging from £20 up to £100; and he would also give them the power of preventing a man from voting for five years. They were even positively to allow these magistrates, whom the Solicitor General said were so iniquitous, to exercise the power, without appeal, of trying a case of illegal practice, and of sending a man to prison for three months if he failed to pay a fine; whereas they would not give them the power, with an appeal, to try a case of bribery. The position of the Government was absolutely untenable. There was no sense or logic in it; but it was not the only ridiculous compromise they had proposed to make. A compromise quite as ridiculous was made the other day in regard to the power of the Judges. What they should endeavour to do was to put an end to bribery once for all, and if they did put an end to bribery, they would put an end to petitioning, which was fifty times worse than bribery. That would be far better than taking refuge in ridiculous compromises that were worth nothing at all. If they were anxious to put a stop to bribery, they would not put off the Amendment until they came to Clause 40, which they would reach goodness knew when, but they would dispose of it "Aye" or "No" at once.

MR. STUART - WORTLEY said, the Government complained that the Amendment had been introduced in haste. That was not the fact, because a similar Amendment was on the Paper 12 months ago, and was taken into consideration at that time. The Government were themselves to blame for not having utilized the time which had since elapsed, and they had shown that they had been indolent in the matter. He doubted whether Clause 40 would afford an opportunity of dealing with the question which the Attorney General seemed to think it would. It was quite clear that the Government, if in earnest in the matter, ought to have devised some kind of tribunal. The Attorney General had given a somewhat ludicrous estimate of what would be the expense incurred by the appointment of a special Commission to every constituency; but he (Mr. Stuart-Wortley) did not think that more than one Judge would be necessary for each county. In the West Riding of Yorkshire, for instance, one competent Judge would be quite sufficient.

MR. STANLEY LEIGHTON said, that they had already in every Parliamentary borough exactly the machinery they wanted — namely, a Recorder. [*Cries of* "No!"] There was a Recorder in almost every Parliamentary borough, who was not connected in any way with the local magistrates; and the Recorder or a Deputy might be employed during an election and paid a fee of £10, or some similar small sum, to try these cases. They had, therefore, got precisely the machinery they wanted — namely, impartial machinery to try these electioneering cases instantly, at the time they were committed.

MR. WARTON said, he regarded this as the most important, because the most practical, Amendment which had been put down upon the Paper; and he hoped it would not be disposed of too readily or too soon. He hoped the right hon. Gentleman the Member for Mid Kent (Sir William Hart Dyke) would not yield too quickly to the kind of half-and-half promise which had been made by the Attorney General. He had no wish to throw any doubt upon the promises of the hon. and learned Gentleman; but he thought the kind of promise which had been given was of very small value indeed. The hon. and learned Gentleman had referred the Committee to Clauses 36 and 40 of the Bill. Clause 36 related to what took place at the trial of Election Petitions, and that would be too late. Clause 40 related to what took place six months after the election, and that was still later. The first important point was to decide in favour of the Amendment, and the next important point was to decide as to the nature of the tribunal. For his own part, he believed the magistrates would form a fair tribunal; but, whether that was so or not, what he wished to impress upon the Committee was that the question of instant jurisdiction was of the very utmost importance. He desired to make a practical suggestion to the Government, and it was this—that if they were convinced the Committee was of opinion that this was a sound principle, let them adopt the Amendment of the right hon. Gentleman, and in some further stage define the tribunal; but let them confirm the principle first. There was another important point with regard to testing the *bona fides* of the respective candidates. When a case of bribery happened at an election, what took place was this. They heard that the other side were bribing; they received information in regard to a particular case that So-and-so had got £5 or £10; and the moment that was discovered, the men on the other side wanted to bribe also. But if they wished to keep the election pure, the proper course would be to bring the persons who were committing the bribery instantly before a tribunal capable of dealing with them; and then the Election Judge, if a Petition followed, would at once say that Mr. So-and-so had shown his *bona fides* by endeavouring to put down bribery. These two great principles hung together, because the most important result of the Amendment, as far as the public were concerned, would be the putting down of bribery; and, as far as the candidate was concerned, it would give him a good *locus standi* when he came to be heard upon the Election Petition. His own opinion was that the best thing they could do was to punish the bribery on the spot. He felt deeply that this was one of the most important and one of the most practical Amendments that could be submitted; and he asked the Government to give their assent to the principle of it first, and then talk about the jurisdiction afterwards.

COLONEL KINGSCOTE said, he would appeal to the right hon. Member for Mid Kent (Sir William Hart Dyke) to withdraw the Amendment, and to the right hon. Gentleman's Friends to permit it to be withdrawn. He did so on this simple ground—that, although he was one of those who approved of the principle of it, he certainly could not support it in its present form. The right hon. Gentleman the Member for Mid Kent (Sir William Hart Dyke) and the hon. and learned Gentleman near him (Sir Hardinge Giffard) had both put before the Committee the difficulty that would be experienced in regard to the tribunal, and throughout the discussion that fact had become more and more prominent every moment. Several suggestions had been made, but they were not practical suggestions; therefore, if the Amendment were now withdrawn, it would be for the right hon. Gentleman and the Attorney General to consider whether, later on in the Bill, a clause could not be brought up embodying the principle and pointing out what the tribunal ought to be. It would be childish to vote for the principle without any tribunal for carrying it out. Everyone must admit that there was a difficulty in the Amendment; and, therefore, he appealed to the hon. Member, and to the hon. Member's Friends who sat around him, to allow the Amendment to be withdrawn.

Mr. ONSLOW said, he felt sorry that his right hon. Friend below him (Sir William Hart Dyke) had accepted the proposition of the Attorney General to withdraw the Amendment. [An hon. Member: He has not done so.] His right hon. Friend had certainly done so, and he (Mr. Onslow) very much regretted it, for he really did not know what the proposition of the Attorney General was. When the hon. and learned Gentleman first got up he said he would have nothing to do with the Amendment. The Solicitor General then made some sort of wavering recognition of it, whereupon the Attorney General said he would consider the matter on Clauses 36 and 40; but he held out no promise that he would accept the Amendment. He (Mr. Onslow) did not think they wanted any Corrupt Practices Bill at all if the Amendment were carried. The germ of all corruption in a borough consisted in sending men down to the place to bribe the voters, and they were the men they wanted to catch red-handed. The Attorney General knew very well that there was an association which had sent men down from a particular locality to corrupt more than one borough he was conversant with. He would ask the Attorney General if persons sent down from Birmingham did not grossly corrupt the City of Oxford? Was it not mainly owing to Messrs. Schnadhorst and Nuttal that they had had gross corruption in Oxford? Those were the men they wanted to catch red-handed. Again, who was it who corrupted the borough of Evesham? It was Mr. Nuttal, sent down by the Birmingham League; and if they did not insert some clause to this effect in the present Bill, they would allow the Birmingham League to run rampant in every borough throughout the Kingdom. He quite agreed that this was really one of the most vital parts of the Bill. The Attorney General himself admitted that there was a great deal in it, and he had said that when they came to a certain clause he would consider it; but, notwithstanding, he held out no promises. He (Mr. Onslow) believed that there was a unanimity of feeling on both sides of the House that something must be done. When these people knew that they could be summarily convicted by a local tribunal for bribery and corrupt practices, those corrupt practices would be stopped to an extent which the Attorney General did not appreciate at the present moment. Hon. Gentlemen on the other side of the House had begged the Attorney General to take the matter into serious consideration. The hon. and gallant Member for West Gloucestershire (Colonel Kingscote) said he cordially agreed with the principle of the Amendment; but he thought they ought to leave the matter to future consideration, if the Attorney General promised that he would frame a clause in reference to the tribunal. But the hon. and learned Gentleman had not promised to do anything of the kind. All that the hon. and learned Gentleman said was that he would consider the matter on Clause 36; but he had made no promise at all as to adopting the Amendment. He (Mr. Onslow) appealed to his right hon. Friends, all of them sitting in a row below him, not so readily to agree to any proposition which came from the Attorney General. They should recollect that there were others besides themselves who had taken a deep interest in the Bill, and who were desirous of making some comments upon its provisions. He appealed to his right hon. Friend the Member for Mid Kent (Sir William Hart Dyke) to withdraw his offer to withdraw the Amendment, until he received a satisfactory assurance from the Attorney General that he would bring up a clause dealing with the question.

MR. H. H. FOWLER said, he thought that the Attorney General had shown the greatest willingness to meet the views of the Committee as to the Amendment; but he pointed out the great difficulty which existed in regard to the tribunal. The way to get the principle of the Amendment carried into law was not to run off upon a discussion as to the operation of the Birmingham League, but to make practical suggestions. He (Mr. H. H. Fowler) would suggest to the Attorney General that in every borough and in every county, at every election, there was a perfectly impartial magistrate available at the present moment, and that was the Returning Officer. [*Cries of* "No!"] If any hon. Member would tell him of any case in which a Returning Officer had been charged with improper procedure, he would bow to his superior knowledge. The Mayor, moreover, was a magistrate during his year of office, and he did not take part in any election contest during his year of office. Therefore, as there was in every borough, and in every county, either a Mayor or a Sheriff who acted as Returning Officer, and as the whole of the country was mapped out under the jurisdiction of the County Court Judges, he thought there did exist tribunals which might readily be made available.

SIR R. ASSHETON CROSS said, he did not think that sufficient weight had been given by his hon. Friend behind him (Mr. Onslow) to what had fallen from the Attorney General. He understood the hon. and learned Gentleman to say that he was perfectly willing to consider the matter, and to frame a clause to carry out the wishes of the Committee. [*Cries of* "No!"] If he had misunderstood the words of the hon. Gentleman he was very sorry. The hon. and learned Gentleman must be positively certain now that the feeling of the Committee was that some tribunal of this kind must be found. That that was the opinion of the Committee was quite clear; and he had understood the hon. and learned Gentleman to say that he would do his best to frame a clause to carry that view out. He (Sir R. Assheton Cross) would, therefore, move an Amendment to that Amendment of his hon. Friend the Member for Mid Kent (Sir William Hart Dyke), in order simply to confirm the principle, and leaving it to the Attorney General to carry out the principle. He would move, after the word "conviction," to insert the words "before the Court hereinafter to be described." The Amendment would then read—

> "Or on summary convictions before the Court hereinafter to be described shall be liable to be imprisoned, with or without hard labour, for a term not exceeding four calendar months, and to be fined a sum not exceeding fifty pounds."

Amendment proposed, to amend the proposed Amendment, by inserting after the word "conviction," the words "before the Court hereinafter to be described."—(*Sir R. Assheton Cross.*)

Question proposed, "That those words be there inserted.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must appeal to the Committee whether this was a proposal which the Government could possibly accept? He had said that he sympathized with the object his right hon. Friend (Sir William Hart Dyke) had in view, but that the difficulty he had in his mind was how to find a fitting tribunal. The right hon. Member who moved the Amendment had failed to suggest a satisfactory tribunal. [Lord Randolph Churchill: No!] The noble Lord might say "No;" but the Amendment suggested the magistrates, and the hon. and learned Member for Launceston (Sir Hardinge Giffard) entirely discarded that notion, and even the right hon. Member for South-West Lancashire (Sir R. Assheton Cross) himself asked the Committee not to accept that proposition. Therefore, he (the Attorney General) was quite justified in saying that that was not a tribunal which could be taken. And now the right hon. Gentleman the Member for South-West Lancashire, finding that nobody in the Committee had been able to suggest a satisfactory tribunal, said that it must be left to the Government to find one. Well, then, what was proposed? They had their hands fully tied up at the present moment. Various tribunals had been suggested. The hon. Member for Wolverhampton (Mr. H. H. Fowler) suggested the Mayor and the Returning Officer; but did that proposal meet with the views of the Committee? [*Cries of*

"No!"] Then, although no one could find a tribunal, the Government were not to wait until they could find one; but the Committee were called upon, by affirming an abstract proposition, to say that a tribunal should be found; and it was not to be found by those who said it could be found, but by the Government, who believed it could not be found. Now, he contended that that was an unprecedented proposition to make to Parliament. Those who said a tribunal ought to be found should themselves suggest it. They might ask the Government to do their best to find one; but when they directed them to find one, whether they could or not, they were placing the Government in a position in which no Government ought to be placed; and, if the Government were to accept the proposition, they might be committing themselves to that which they might find to be an impossibility. In point of fact, the Committee were asked to anticipate the discussion of the tribunal by asserting that a tribunal must be established. He admitted that they could find a tribunal; but what they really wanted to find was a satisfactory tribunal. They did not want to find an unjust or an unworkable tribunal. He asked that the Government should receive fair treatment in respect of the Bill; and he complained that it was unreasonable on the part of the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) to put forward an Amendment of this kind, and then to shirk the responsibility of carrying it out. The right hon. Gentleman never would be able to carry out his own Amendment. If the right hon. Gentleman would postpone the Amendment, and bring forward the tribunal he was prepared to suggest, the Government would deal with it, whether it was a new tribunal, or one that was already in existence.

Sir R. ASSHETON CROSS said, he was perfectly willing to find a tribunal; but he would rather leave the matter in the hands of the Government.

The ATTORNEY GENERAL (Sir Henry James) said, that was not what the right hon. Gentleman had previously stated. He was leaving to himself the fullest power of criticism and attack in regard to any tribunal that might be suggested by the Government; and he would probably be found saying—"This is not satisfactory, and that is not satisfactory." If a tribunal was to be found, and the Amendment was to be accepted, let the right hon. Gentleman say what the tribunal was, even now, or at some future time; but when a right hon. Member, occupying the position of the right hon. Gentleman, said—"I will put in a clause to make a tribunal, whether it can be found or not, or whether it may be satisfactory or not, but I will bear no future responsibility," he would simply ask the right hon. Gentleman whether he himself considered that that was a fair mode of procedure? If the right hon. Gentleman could suggest a tribunal that would be satisfactory, let him do so candidly, and at once. The Government could do no more then they had done. He had stated very distinctly that consideration would be given to the subject, and that they were ready to receive practical suggestions from every part of the House. The Committee might ask the Government to do something in the matter; but to ask them to define at once such a tribunal as was required in precise terms, whether it would be accepted by the House or not, was scarcely fair or right. He, therefore, opposed the Amendment which had been moved by the right hon. Gentleman, on the ground that it was an abstract declaration, that it was wanting in responsibility, and that the Committee ought not to throw the responsibility upon the Government.

Mr. LEWIS said, that, as the Amendment was in the direction of lenity, he should be disposed to vote in favour of it; but he was bound to say, honestly, that he did not think it was a practical Amendment. As he understood, it was to be put into operation as early as possible on the morning of the polling day. Therefore, each party would begin arresting their opponents; each would endeavour to discover some person on the other side who had rendered himself liable to arrest, and they would take out a summons, or procure a warrant, to bring him before the local Bench of Magistrates. That would happen at about 11 o'clock in the morning, and, by half-past 12, the other party would follow suit; and they would have more persons taken before the local Bench to answer charges of bribery and corruption. Indeed, such cases had actually happened. He could mention a borough, not far from London, where this scheme for checking the operations of rival political Parties was followed by one Party. But the other side soon followed suit; whereupon both Parties were glad to drop the proceeding. He thought that, so far from the Amendment being a practical check upon corruption on the polling day, it would tend to increase it. If the corruption was not to begin on the polling day, but some days before, all he could say was that the comedy would take a little time longer, and, instead of being a one act farce, it would be a five act drama; and the result would be even more ridiculous as regarded the law. He could not agree with these fanciful remedies in the name of purity of election, because they failed to meet the requirements of substantial justice. It was ludicrous to suppose either that the Mayor or the Returning Officer of the hon. Member for Wolverhampton (Mr. H. H. Fowler) would be a perfectly satisfactory tribunal. What would the hon. Member think if the Conservative Party were to find themselves in the hands of the hon. Member for Ipswich (Mr. Jesse Collings)? He (Mr. Lewis) recollected when the hon. Member was the distinguished Mayor of the distinguished borough of Birmingham; and he recollected, further, that there were some remarkable proceedings, in which the impartiality of the hon. Member was impeached, although, no doubt, improperly. Nevertheless, it was the fact; and he did not think that the Tories of Birmingham would be glad to appear even before so illustrious a magistrate as the hon. Member for Ipswich (Mr. Jesse Collings) in a case concerning a Birmingham election proceeding. Other instances might be cited quite as strong; and he was surprised that a man like his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler), with all the knowledge he possessed, should suggest that a Mayor or a Returning Officer would be a proper tribunal. It was a ten times worse tribunal than the Bench of Magistrates, because it would be undiluted Party spirit and unchecked Party spirit. They knew very well the course pursued in constituting a borough Bench of Magistrates. One Lord Chancellor appointed six magistrates to the Bench, and when he went out of Office the new Lord Chancellor appointed six others from the opposite side of politics; so that where one had put upon the Bench, say, six Liberals and two Conservatives, the next put on six Conservatives and two Liberals. He appealed to hon. Members whether it was not the case that under the present and previous Administrations they had had piteous appeals made to them as to the state of local Benches of Magistrates, and the condition of Party politics upon them in consequence. The only case in which they ever saw any sign of impartiality was the case of some poor doctor who had been made a magistrate and did not want to commit himself, and who managed to keep both sides of his patients by voting first with one side and then with the other. He was the middle man, who, according to an American expression, had his feet on different sides of the rail. If he (Mr. Lewis) were, unfortunately, summoned before a Bench of local magistrates in the middle of an election contest, and he saw that the Bench was rightly composed, he would at once say—"Go on with the case; I shall get out of this with flying colours;" but if he did not like the look of the Bench he would, no doubt, say—"This won't do at all, and I should prefer to be tried by a jury of my countrymen." Much as he should like to see anything done that would pull down the atrocious severity of the Bill as to the punishment it inflicted, he could not vote for the Amendment of the right hon. Gentleman, who, by the way, was a zealous supporter of the Bill. Perhaps that was one of the reasons which induced him (Mr. Lewis) to look on the proposition of the right hon. Gentleman with suspicion. His hon. and learned Friend the Member for Chatham (Mr. Gorst) had become so much in love with the Bill that he was continually opposing its author because the provisions of the measure did not go far enough. He believed that the hon. and learned Gentleman was not only sincere, but awfully sincere. No doubt, the hon. and learned Gentleman had many good reasons for his sincerity. He (Mr. Lewis) thought he had found, in going through the Members of that House, the reason of the wonderful love they had for the measure. They thought it would diminish in future their election expenses. Not only was the cost most extravagant now, but there was very great danger, after a candidate had been returned, that he might lose his seat. He believed that the Attorney General was sincere. At all events, he (Mr. Lewis) was sincere in his opposition to the Bill. He preferred to try things that were practical, and not things that were simply shadowy and vapoury.

Mr. HICKS said, it appeared to him that the hon. and learned Attorney General had overlooked the suggestion of the hon. Member for Newcastle (Mr. J. Cowen), which, to his mind, was of a very practical character. The suggestion that the matter should be left to the Returning Officer had not appeared to meet with general approval; and he quite thought that to leave the decision of such a question as that to any two magistrates who might by chance be at the Petty Sessional Division at the time of an election would not be to leave it to a tribunal which would commend itself to the country at large. The suggestion of the hon. Member for Newcastle was that two magistrates on the Bench should, at a Quarter Sessions, previous to the election, be selected and appointed for the express purpose of trying these cases. The Bench of Magistrates would only elect men of experience and of judicial mind, on whose integrity and honesty they could rely to discharge this duty. He was sure that if a small Bench of Magistrates were chosen in that way there was no borough or county in the country in which the magistrates so appointed would not do their utmost to discharge their functions in a judicial and impartial manner. He had himself some little knowledge of what the result was likely to be, because it would be in the recollection of a large number of Members that some years ago, under the Licensing Act, it was the duty of the magistrates at Quarter Sessions to appoint a Select Committee to sit in judgment upon the applications for licences granted under the Bill. There was, at the present time, no feeling whatever that the magistrates so appointed had exercised their functions in any other than a perfectly judicial and impartial manner, without any reference to Party purposes. They acted as Judges, and did what was right and proper under the circumstances, and in accordance with the spirit of the Act; and, therefore, he said that if they adopted the suggestion of the hon. Member for Newcastle they would have a tribunal, on which full reliance could be placed, always ready to deal with cases which might arise.

Mr. RYLANDS said, he entirely agreed with the object that the right hon. Gentleman had in view; and if it were possible to deal with the offences at the time, and if it were a matter of certainty that punishment would follow upon their commission, he thought that would do more to purify elections than any other means that could be adopted. But he thought the Attorney General had a fair ground of complaint, when he said that there was no chance of any assistance coming from the other side of the House in the form of a practical suggestion. He was bound to say that, although he had listened to the speech of the hon. and learned Member for Launceston (Sir Hardinge Giffard) with all the respect that was due to his authority in matters of this kind, yet he had not heard from him any suggestion which would afford a solution of this question; on the contrary, he gathered from his speech that there was considerable difficulty in settling the question with reference to the tribunal. He dismissed at once the proposal made by his hon. Friend opposite with regard to the local magistrates. From his knowledge of the magistrates he could not view the hon. Member's suggestion as in any way meeting the difficulty. On the whole, he thought it better that the Amendment should be withdrawn; and he trusted that the Attorney General and the Solicitor General would consider, during the progress of the Bill, whether they could not adopt some means to meet the general desire of the Committee that some tribunal should be appointed for the purpose of dealing summarily with offenders.

Mr. CALLAN said, that the hon. Member for Wolverhampton (Mr. H. H. Fowler), in suggesting a fair and impartial tribunal, had spoken only with reference to England and Wales. The hon. Member said that he excluded Ireland from his observations. But the Committee should bear in mind that this Act would apply to Ireland as well as to the rest of the Kingdom. For his own part, he did not agree that the magistrates would be impartial at elections in England and Wales; but what would be the case in Ireland? It would be something like that which had been suggested by the hon. Member for Guildford (Mr. Onslow), when he said the local magistrates should have the power of dealing summarily with strangers who came down at the time of elections. He remarked that every Member in the course of this discussion had spoken of bribery and corruption; but no one had observed that the Amendment related also to undue influence and treating. Suppose the provision contained in the Amendment was the law in force in Ireland at the present moment; he believed that in 10 or 11 districts in the county of Mallow a corresponding number of persons would be charged with the offence of undue influence, and committed to prison. The magistrates would certainly have committed the hon. Member for Tyrone (Mr. T. A. Dickson) — who had gone over to Ireland and used intimidating language at a recent election. It was impossible to constitute a Court that would act impartially in this matter; and, therefore, he said that the clause could not work. He was quite sure that neither the Attorney General nor the Solicitor General could hammer this Amendment into a practical shape; and he trusted they would not yield in their opposition to it.

SIR R. ASSHETON CROSS said, his desire was to save the time of the Committee. He did not want to have a premature decision upon the matter now, because it might prejudice the question when it again came forward. If the Attorney General would frame some Amendment to carry out the proposal, he could assure him that it would receive most careful and impartial examination at their hands. But if he did not see his way to do that, he would undertake to bring up an Amendment proposing a form of tribunal, although, in so far as money was involved in the proposition, it would be for the Government to take the initiative; because he did not wish to have any technical difficulty on that ground sprung upon him as a reason for not moving his Amendment.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, it was not for the Government, but for Parliament to provide the money which might be necessary for the purpose of establishing a tribunal. He would suggest that his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) should endeavour to place before the Committee, in connection with the right hon. Gentleman who had just spoken, an Amendment which would meet the requirements of the case. He had no doubt that a proposal coming in that manner would be a very valuable one. He had no objection that an attempt should be made to solve this question; and if hon. Members would put forward any practical proposal, he was quite sure the Government would most carefully consider it, although he wished it to be understood that he could assume no responsibility in this matter.

MR. GORST said, he was not in favour of the course which had been suggested. In the first place, the promise of the Attorney General was absolutely illusory; because, when they reached the clause to which he had referred the Committee, the question could not be revived. If the suggestion of the Attorney General was carried out, he ventured to say that the Government would be sure to quarrel with every tribunal which the right hon. Gentleman the Member for South-West Lancashire might propose; and, further, that they would not ask Parliament to grant any sum of money for the purpose of carrying out the object of the Amendment.

Amendments, by leave, *withdrawn.*

MR. H. B. SAMUELSON said, he rose for the purpose of moving—

> "That a person convicted on indictment of treating by corruptly accepting or taking meat, drink, entertainment, or provision, shall not be liable to more than three days' imprisonment without hard labour, nor to be fined more than ten shillings."

He made this proposal in the most serious spirit; and he trusted that, although the question might have been regarded somewhat lightly, it would appear to be worthy of the attention of the Committee. The object of the clause was said to be to make treating and bribery dangerous to the candidate, and so take away from him the temptation to commit the offence; but it seemed to him that the way in which the Bill endeavoured to arrive at that result was not the right one. To punish a very poor person, who was tempted by those who ought to know a great deal better than to seek to obtain his vote by bribery and treating, seemed to him to be punishing the wrong man. The technical offence of treating, by accepting meat, drink, entertainment, and provision, so far as elections were concerned, was an entirely new one; it had not existed before, but had been created by this Bill; and he thought it would be found difficult to make an average Englishman of the poorer classes understand that he was committing a sin against the law when he accepted a glass of beer, or some other refreshment, from persons whom he would naturally consider to be in every way capable of giving him moral as well as material guidance. The Attorney General proposed to punish the recipient of treating. In Clause 1 it was provided that a man who received treating was, for the first time, to be considered guilty of corrupt practices, and liable to all the penalties described in this section. He pointed out that it was only in an infinitesimal number of cases that persons would lay themselves open to be prosecuted for the offence of receiving treating, or receiving entertainment, whatever that meant. As a general rule, it would be only the very poorest of the people who would place themselves in that position. The Amendment which he proposed dealt entirely with the passive aspect of the offence of treating, because it seemed to him that a person who was treated stood in quite a different position from him who actively committed the offence of treating others. He thought the clause, in its present form, would not commend itself to the country at large. They had heard what an outcry was raised about those corrupt bribers who were sent to gaol not long ago for corrupt practices in connection with a certain election; but would there not be an immensely greater outcry if poor persons were to be sent to prison for accepting a glass of beer from persons in a superior station, who ought to know better than to give it them? He was quite sure that if severe sentences were passed upon such persons it would be revolting to the common sense of the community. It might be objected to his proposal that there was a discretion given to the Judge. He was aware that it was proposed to give uniform discretion to the Judge; but he did not think that the exercise of that discretionary power would be at all uniform in cases of this kind. On the contrary, he believed that they would see one Judge punishing poor men very severely, and another Judge punishing them very lightly for the same offences—a result that could have no other effect than to bring the law into contempt. He held that his Amendment would prevent the commission of a gross injustice. But, in making this proposal to the Committee, he was not disposed to stand closely to the figures contained in it. If it was thought that the three days specified in his Amendment were insufficient, he was willing that the number should be extended to six; and, further, that if 10*s.* was regarded as too small a fine, he was willing that the delinquent should be fined £1. In conclusion, he urged strongly on the Committee that, taking into consideration the relative positions of the persons concerned, the offence of receiving treating was not the same as that of giving it. He considered that by adopting his Amendment, or the modification of it which he had suggested, they would be punishing the poor man as severely as circumstances demanded; and he trusted that the Committee would take that view of the Amendment which he now begged to move.

Amendment proposed,

In page 2, line 36, at the end, add—"Provided always, That a person convicted on indictment of treating by corruptly accepting or taking meat, drink, entertertainment, or provision, shall not be liable to more than three days' imprisonment without hard labour, nor to be fined more than ten shillings."—(*Mr. H. B. Samuelson.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could not assent to the Amendment, because it almost prohibited punishment in the case of the offence of treating. They had agreed that treating should be an offence punishable under the Act; but this proposal of the hon. Member for Frome to inflict three days' imprisonment was equivalent to the infliction of no punishment at all. Moreover, he regarded the imposition of the fine of 10*s.* as quite insufficient for the purpose. He could see no reason for making any distinction between the person who was treated and the person who treated with respect to the punishment. His hon. Friend said they ought not to inflict the same punishment in both cases. That might be so; but then this was a question which must be left to the Judges.

MR. LEWIS said, the hon. Member for Frome (Mr. H. B. Samuelson) had taken up a different attitude towards the penal portion of the Bill than he had hitherto assumed. On every occasion when there had been any suggestion of an alleviation of the punishments to be inflicted under the Act, he had been one of the loudest supporters of the Government in opposing such alleviation. On the last occasion, he said the proposed mitigation of punishment would, if adopted, be equivalent to making one law for the rich and another for the poor. But that was the very thing the hon. Member was now endeavouring to do by his Amendment; because he had himself informed the Committee, in the course of his speech, that the only persons who would be the recipients of treating were the very poorest class of the people. It was clear, therefore, that his proposal was to create one law for the rich and another for the poor. The hon. Member argued that the penalties of the clause ought to be reduced in the case of the man who was treated, because he was a passive party to the offence. But it appeared to him that the reverse was the case; because the man who received the glass of ale, sandwich, or whatever it might be, was the consumer of it; and how in any sense he could be called passive, under those circumstances, quite surpassed his comprehension. He was, however, obliged to the hon. Member for moving this Amendment, because it showed to what a ridiculous length the Bill went in matters of this kind. The hon. Member, who had been one of the most prominent supporters of the severity of the Bill, had shown that he knew very well that the Bill dealt with an act so trifling in its character, and imposed upon it a penalty, to his mind, so ridiculously disproportionate, that he considered the case would be met sufficiently by three days' imprisonment, or a fine of 10*s.* He had no doubt that most hon. Members opposite had voted hitherto in favour of the penalties proposed by the Bill, on the same rules and lines as those which regulated the action of the hon. Member for Frome. After they had passed Clause 1, it was found necessary to say —"Oh; but some of these offences are looked upon as being really so trivial that they need only be visited with three days' imprisonment or a fine of 10*s.*" He had no doubt they would have many proposals, in the course of the proceedings, of a character similar to that of the present Amendment; and hon. Members would be able to go down to their constituencies, and say — "I was the friend of the poor man. Why should he not have a glass of ale when he goes thirsty to the poll? I stood up for the poor man; but I voted for putting the rich man under lock and key." The Amendment of the hon. Member for Frome was a deliberate attempt to make one law for the rich and another for the poor; and he was happy to see that it would not be successful.

MR. ASHMEAD-BARTLETT said, he congratulated the Attorney General on having refused to adopt this claptrap Amendment. The proposal was most insidious, and he was glad that it had not escaped the keen eye of the hon. and learned Gentleman. Had it been accepted, it would have opened the door at once to wholesale treating; because to remove the severe penalty which the Bill proposed to inflict on the recipient of treating would be to remove the main instrument for dealing with that form of corruption. The adoption of the Amendment of the hon. Member for Frome would have this effect—treating would no longer be done by the candidate or his supporters; but some worthless or paltry agent would be employed for the purpose who would be willing to run the risk of being discovered. Numbers of persons of this class would be willing to accept an appointment of the kind, and would forthwith begin a system of wholesale treating. Unless those who accepted the tempting offers were amenable to the same penalties as those who gave them, corruption would prevail as largely as ever. If this Amendment were passed, a candidate who did not treat would be accused of stinginess by those who wanted the gifts, and did not much care what happened to the donor. The punishment proposed by the hon. Member was altogether insufficient for the purpose of checking this form of bribery; and he believed the object of the Bill would be frustrated by its adoption.

MR. H. B. SAMUELSON said, the speech of the hon. Member for Londonderry (Mr. Lewis) was based entirely on false premises, for he had not proposed one law for the rich and another for the poor, nor had he in any degree changed his attitude with regard to the necessity of eradicating the offences of bribery and treating by the infliction of really effective punishment. By his Amendment he drew a distinction between the offence of treating, which was usually practised by the well-to-do, and that of accepting treating, which was usually committed by the poor. These were different offences; but every man, under his Amendment, would receive precisely the same treatment for the same offence; all that he objected to was, making it an offence of equal magnitude as regarded the possibility of punishment for a poor man to receive a treat, as for the rich and powerful to offer it; but he held that the latter ought to be punished as the law provided; so that the hon. Member for Londonderry had put the shoe on the wrong foot. The remarks of the hon. Member (Mr. Ashmead-Bartlett) who had last spoken were entirely wide of the mark, the Amendment having nothing to do with the person who treated. But as the Amendment had not received much support he would withdraw it, although he had proposed it in all sincerity.

Colonel NOLAN said, he should very much like to take a Division on this Amendment, for he was very strongly in favour of it. It was quite right to punish a man for treating or receiving a bribe; but six or twelve months' imprisonment was altogether too severe. He objected, also, to the enormous powers to be given to the Judges. Under the Mutiny Act a court martial had enormous powers, and an officer might be shot or cashiered even for not sending in his report. That might be right in regard to courts martial, although he had always argued against it; but, certainly, such power ought not to be given in regard to electors. It was quite enough to have these very severe laws for the military, without applying them to civilians. He regarded the Amendment as a judicious one, and he thought they ought to begin gently with the new arrangements. He was afraid that in future, if one man offered another a drive during a county election and stood him a drink, they would be associated together, and might be made liable to 12 months' imprisonment. It would not be a matter of so much importance to punish them by a fine of 10*s.* or a week's imprisonment, and that would not be worth the trouble of a Division; but, as the matter stood, he should challenge a Division, if he could find anyone else to say "No" with him, and to tell with him. He should be glad to see who were anxious to give electors six months' imprisonment, and who were not.

Mr. MACFARLANE said, there had been a good deal of discussion on the subject of treating electors; but he wished to mention another form of treating which he had found infinitely more common and more disagreeable than that dealt with in this Bill. Any number of penalties were provided for candidates who treated voters; but there were no penalties for voters who treated candidates. That was what Irish Representatives suffered most from. The well-known hospitality of the Irish people was so great that every man upon whom a candidate called insisted upon treating him, and considered himself grossly insulted if the offer was refused. Would the Attorney General consider it worth while to introduce a clause to preserve candidates from being treated?

Question put, and *negatived.*

Mr. LABOUCHERE proposed to move the following Amendment:—

In page 2, line 40, after "1872," insert—"(3.) A Parliamentary candidate, who accepts a title within three years after his defeat, or a person who, being a Member of the House of Commons, accepts a title, or a person who, having been a Member of the House of Commons, accepts a title within three years after he has ceased to be one, except for eminent services rendered to his country, as distinguished from services rendered to a political Party, shall be liable to be imprisoned, with or without hard labour, for a term of not less than one year, and to be fined any sum not less than one thousand pounds."

He hoped the Attorney General would agree to this Amendment.

The CHAIRMAN: I am sorry to interrupt the hon. Member; but the Amendment does not appear to me at all to come within the clause.

Mr. LABOUCHERE wished to point out that his object was to punish any Member who, after having been elected, received what he must term a bribe.

The CHAIRMAN: I am of opinion that the Amendment is not in Order.

Mr. LABOUCHERE asked whether he could alter or amend the Proviso in any such way that it would be in Order?

MR. LEWIS rose to Order, and asked whether, if the hon. Member had proposed to enact that, certain things being done by a candidate, he should be held guilty of corrupt practices, it would not be in Order?

MR. GLADSTONE, rising to Order, said, that the hon. Member was not speaking to the point of Order, or to the Amendment, but to some Amendment which was not before the Committee.

THE CHAIRMAN: The Amendment of the hon. Member for Northampton is not within the compass of the clause.

Amendment proposed, in page 3, line 12, to leave out "ten," and insert "seven."—(*Mr. Kenny.*)

Question, "That the word 'ten' stand part of the Clause," put, and *negatived.*

Question, "That the word 'seven' be inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Illegal Practices.

Clause 6 (Certain expenditure to be illegal practice).

MR. E. STANHOPE (for Mr. GORST) moved an Amendment to make it clear that the clause included the canvassing of voters. If that was not clear in the clause, he hoped the Attorney General would accept the Amendment.

Amendment proposed, in page 3, line 19, after "made," to insert "on account of the canvassing of voters."—(*Mr. E. Stanhope.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought this question required some explanation. There was no prohibition of the spending of money in this clause; but substantially the Schedule dealt with that matter. But, if this Amendment was agreed to, it would not be possible for a candidate's agent to canvass, because he would require to have money in order to go about from place to place. He did not see how a candidate could be placed in such a position as that; but the Schedule virtually limited the power of canvassing. If they intended to prohibit canvassing altogether they must do it by express declaration; but his impression was that that could not be done. The object of the Amendment was effected by the Schedule; and, therefore, he hoped it would not be pressed.

MR. E. STANHOPE said, he should not have moved this if he had intended to prohibit canvassing altogether, because he thought that was not possible. If it was clear that the purpose of the Amendment was met by the Schedule he would withdraw the Amendment.

MR. JOSEPH COWEN said, he thought there was great doubt whether canvassing was or was not prohibited by the Bill; but it appeared to him that the insertion of these words would make it more distinct. This was, in principle, an illustration of many other difficulties. They were now going to allow canvassing to exist, and there was danger of all the evils which were complained of continuing to exist; and, therefore, to a large extent, he was disposed to take the view of the hon. Member for Londonderry (Mr. Lewis) that the further they went the more difficulty he saw in dealing with the subject.

COLONEL NOLAN asked whether a candidate would be brought within the clause if he hired a carriage?

THE ATTORNEY GENERAL (Sir HENRY JAMES): No.

MR. LEWIS said, he could not support the Amendment. By all these indirect words hon. Members were making coats of armour and chains of mail for themselves. Anything more inexpedient than this Amendment could not be conceived.

Question put, and *negatived.*

MR. H. H. FOWLER proposed, in page 3, line 20, to leave out from "on" to "or," in line 21. This was a question of very grave difficulty, upon which he thought everybody would be slow to express a confident opinion; and while the Attorney General, and those who had prepared the Bill with him, had carefully considered their side of the question, he should like to bespeak the attention of the Committee while he put the other side. The question before the Committee was whether hired cabs or carriages, or other conveyances to take electors to the poll, should be or should not be legal. The history of this question was very singular, and very contradictory. For many years it was doubtful whether a payment for conveyances was legal. There had been a decision upon the question by the House of Lords, which, while it did not decide the main question, decided it upon a side issue, and threw such doubt upon the question that the Legislature interposed, and passed an Act by which any payment for the conveyance of voters was prohibited. No penalty, however, was attached to the offence, and the Act had been evaded for years. If the practice was to be prohibited, it should be prohibited in an effective manner by Parliament; and if it was to be allowed, then that should be open and aboveboard. The usual practice was for a convenient friend to pay for the cabs, and then the candidate paid him after the election. In 1880, an Act was passed legalizing such payments in England, if not in Ireland; and he was not sure whether it applied to Scotland or not. But these payments were objected to on two grounds—first, as an illegitimate mode of bribery; and, secondly, as an illegitimate cause of increasing the expenses of an election; but he thought there was no bribery involved in hiring carriages; on the contrary, there was great difficulty in getting cabs on the polling day, and the owners dictated their own terms. It was, no doubt, a serious item in regard to election expenses, and if he could see his way to vote for the abolition of this cost he should be very happy to do so; but if they were going to prohibit the hiring of cabs by men of moderate means, they must prohibit the lending of carriages by men of wealth. If the Attorney General would prohibit all round, he should not say another word; but he objected to men of the middle class being subjected to this great disadvantage. He did not know what clause the Attorney General would be prepared to consider later on in reference to increasing the polling districts; but, as a matter of fact, according to the present system of polling districts—putting several polling booths in one district, it was impossible to poll a constituency without the use of carriages, especially where the constituency consisted, to a large extent, of working men, because, otherwise, the men would have to ask them to sacrifice their breakfast or dinner-hour in order to walk to the poll. He did not wish to treat this matter in any Party spirit, but simply to do what was fair, and what was the best thing in order to do justice to candidates of all pecuniary capacities and all classes. The hon. Member for Newcastle (Mr. J. Cowen) had, later on, a clause on the subject; and if the Attorney General would say he would accept the hon. Member's clause, he would withdraw his. There was a class of gentlemen of both political Parties who went into boroughs and could command the loan of almost unlimited carriages by which they could take voters to the poll; and if the Committee provided that other men should not have the opportunity of hiring carriages, they would be placed at a great disadvantage. If the clause were agreed to as it stood, it could be easily evaded by wealthy men, who would buy up all the cabs and carriages in a borough, and then sell them again after the election was over. He hoped the Committee would have a full discussion on this subject.

Amendment proposed, in page 3, line 20, to leave out from "on" to "or," in line 21.—(*Mr. H. H. Fowler.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Colonel NOLAN said, he did not believe that electors in counties wanted conveyances, for they were quite able to walk three miles to the polling place. He objected to the enormous powers which it was proposed to give the Judges; but this was a very sensible clause, except that it allowed a certain number of committee rooms. If conveyances were not wanted in Ireland, as they were not, why should they be wanted in England? Possibly, they might be required in some parts of Scotland; but he should heartily support the clause, which he considered the most valuable clause in the Bill.

Mr. NEWDEGATE said, he thought the effect of this clause would be to disfranchise a great number of voters; and that seemed to be the general tendency of the Bill. It dealt in a factious spirit with a number of minor subjects; but it ignored a great question with which the United States had found it absolutely necessary to deal, and that was the question of conspiracy to corruption. That matter had hitherto been omitted, and when the time came he should be prepared to show an enormous contrast between the legislation of the United States and the legislation now proposed for the regulation of elections under the Ballot. He did not know whether the hon. Member intended to divide upon his Amendment; but the whole tendency of the Bill was to disfranchise voters, and disqualify candidates.

MR. ARTHUR ARNOLD said, he liked this Bill very much, and he was anxious that the words proposed to be left out should be retained in the Bill. He knew of a county in which the election at several boroughs was held on one day, and in others on another day; and the carriage proprietors in the borough in which the first election took place sent the carriages to the others on the next day, and put them up for auction between the two opposing parties, so that, literally, one side or the other had to purchase the carriages at most exorbitant prices. About £6 a-day for each carriage was paid in one borough; and he had no doubt that if these words were expunged from the Bill, candidates like himself would be put to enormous and exorbitant expense with regard to the hire of carriages. He did not see how, in connection with this Bill, the Government could deal with the matter of private carriages and conveyances. He knew not by what means it was possible to exclude persons who had private carriages or carts from making use of them during an election—nor was he very anxious about the matter, because he thought property of that sort was pretty equally divided; but if it were not, he did not think it would be possible for the Committee to interfere in a satisfactory manner in that respect. There could, however, he thought, be no doubt that if these words were omitted one of the most fertile sources of expense would be left open. In one borough with which he was acquainted the cost of carriages in 1880 amounted to £3,000; and from such expenses hon. Members on both sides of the House, he was sure, must desire to be relieved. He wished to point out that this clause, if passed as it stood, might be evaded by persons conveying voters not "to" the poll, but to within a short distance of the poll. He hoped the Amendment would not be adopted.

MR. MACFARLANE said, he considered the arguments of the hon. Member for Wolverhampton (Mr. H. H. Fowler) as, in many respects, unreasonable. If they allowed a rich man to collect the carriages of his friends to convey voters to the poll, they certainly ought to allow a comparatively poor candidate to hire conveyances; and he could not see any difference in principle between refusing to allow a candidate to pay railway fares, and then to allow him to borrow his friends' carriages. The real remedy for this difficulty was to do away with the necessity for carrying voters at all, by increasing the number of polling places.

MR. E. S. HOWARD said, that he had had considerable experience in East Cumberland with regard to this subject; and he should think that out of £4,000 or £5,000 spent on an election £2,000 would be for carriage hire, while only about £300 would be for railway fares. Formerly the charge for the use of a two-horse carriage was £10; but at the last General Election the two sides agreed to pay only £7 10*s.* and he was afraid that price could not be reduced. If the hiring of carriages could not be carried out without the prevention of carriages being borrowed he would go that length, for he found that by Clause 44 there was to be a polling place within three miles of every elector. He believed that was the distance within which schools were supposed to be of labourers' cottages, and if a child could walk three miles surely a voter could. He observed that Clause 45 made special provision for conveying voters by sea; and if it should be found in any county that there were voters living more than three miles from a polling place, the Sheriff should have power to send a carriage to a particular place for the use of both sides.

MR. STANTON said, he thought that if the hiring of carriages was to be stopped, the borrowing of carriages ought to be also stopped; but that, he believed, was impossible. He also thought there was no reason to exclude railway fares, for in many cases it might be found more convenient to take voters to the polling places by railway than by carriages, and the principle seemed to him to be precisely the same. The object to be aimed at was to render it as easy as possible for every voter to go and give his vote. This matter raised a very large question; it opened up the whole question of the out-voters. If this clause was not carried, and no provision was made for paying the expenses of these voters, he should endeavour, by some clauses in the Ballot Bill which he hoped to get before the House this Session, to provide voting papers which might be filled up by the voters and sent to the Returning Officer. In the meantime, they must confine themselves to the question of how far it was desirable to pay for the expenses of voters going to the poll. He was bound to say that he thought there were certain objections to that; but, on the other hand, it had always been done. Although it was not legal, it had never been held sufficient to void a seat, and he did not see anything wrong in it. He should vote for the Amendment; but he should also propose to amend the Amendment by including railway fares, by inserting the words "or for railway fares." If the Amendment was not carried, probably some other Member's Amendment might effect the same object—namely, legalize the carrying of voters to the polling places. He could not see why a poor man should have to walk more than three miles. His own borough was 10 miles in one direction, and eight in another; and it was impossible for working men to walk that distance and record their votes during their dinner time or in the morning; and they could not afford to sacrifice half-a-day's work. In his borough it had been customary to have a half-holiday on the polling day; but it was at the sacrifice of half-a-day's work. To avoid that disadvantage, there ought to be some provision of this kind adopted.

Mr. CARPENTER GARNIER said, he had given this question great attention; but he was bound to say he could not agree with his hon. Friends. By this Bill, they were endeavouring to reduce the expense of elections; but if this source of expenditure was allowed their efforts would be futile. He should have thought that in most boroughs working men could walk to the polling places; but in the counties, it was said, a great many voters would be disfranchised. But the polling places, it must be remembered, would be, as a rule, within three miles. He did not think this lending of carriages was a question of the higher classes as against the lower classes, because carts and other conveyances in the counties could be lent. Therefore, he did not see that that question at all affected the case. In many cases there was great abuse with regard to hiring conveyances; one side would, perhaps, engage all the conveyances; and the other would bring conveyances from a great distance. In the case of Durham County, conveyances were brought all the way from Edinburgh; and it would be perfectly impossible to keep down the cost of elections if this great item was allowed to remain. As at present advised, he should vote for the clause as it stood.

Mr. BROADHURST said, he was almost sorry the hon. Member for Wolverhampton (Mr. H. H. Fowler) had made this proposal to the Committee. In spite of the length of time they had been considering the subject, he failed to see that the proposal was one which deserved support. He remembered that, just before the last General Election, the Government, of which the right hon. Gentleman opposite (Sir R. Assheton Cross) had been a Member, had passed a short Act to make it legal to employ cabs in borough elections; and he also remembered that amongst the great mass of the working classes of this country this was considered the most unpopular thing they had done for some time, as it was thought that it would make it easier for the rich man to win an election than the poor man. Whether that prediction was true or not the Election of 1880 would prove. The hon. Member for Wolverhampton had asserted that it would be unfair, in the case of the poor candidate, to deny him the right of employing cabs, when the rich candidate would be able to avail himself of the private carriages of his wealthy friends. Yes; but his hon. Friend appeared to forget that cabs were luxuries which poor men could not by any means indulge in. The charge for hired cabs on the day of the election amounted, if he were not mistaken, to a guinea each in most cases, and in some cases to a great deal more. He should like to know where the poor candidate was to be found who could indulge in the luxury of 600, or 700, or even 100 cabs at a guinea or two guineas a day? He ventured to say that if they moved at all in the matter of this clause, it should be rather in the way of amending it in the sense of prohibiting the conveyance of any electors to the poll either by cabs or by carriages. Some hon. Gentlemen on the opposite side—the hon. Member for North Warwickshire

(Mr. Newdegate) he thought—had said that unless the use of conveyances was permitted a great many electors would be disfranchised. He (Mr. Broadhurst) did not think they would be disfranchising many persons if they insisted that all those who recorded their votes should walk to the poll to record them. He did not believe it would disfranchise 1 per cent, or anything like it, of the voters throughout the whole of the country. Of course, there were always a number of people who were sick or lame, or otherwise incapacitated from walking to the poll when the election day arrived; but in those cases there would be every opportunity of adopting other means of getting them to the polling place. He had known enthusiastic voters and electors to carry their sick relatives to the polling booth on their backs. That had been done in more cases than one. During his own contest, in the borough of Stoke-upon-Trent—which was a large borough like Stroud, being 12 or 15 miles in length, and five or six miles broad—at the General Election of 1880, it was necessary for him to tell the electors that he could not possibly provide cabs to take them to the poll, but that if there were any exceedingly anxious to vote for him and unable to walk, if they would provide a wheelbarrow, he would undertake, on his part, to wheel them to the poll to record their votes.

MR. H. H. FOWLER: A wheelbarrow would be illegal under this clause.

MR. BROADHURST: The hon. Member for Wolverhampton said the use of a wheelbarrow would be prevented under this clause. He should not object to its being prohibited, because he had not been anxious to wheel a dozen or so lame electors, particularly if they were well-conditioned, to the poll. His idea of the Amendment was that it would give every advantage to the wealthy candidates, and work, in a proportionate degree, to the disadvantage of poor candidates; and he, therefore, sincerely hoped that the Committee would not agree to the proposal. Hon. Members had said it was impossible for workmen to walk to the poll during the dinner hour, and that, therefore, unless candidates were allowed to convey them in carriages to the poll, they would be disfranchised; but it seemed to be forgotten that they had a Bill actually in Committee which proposed to extend the hours of polling very considerably, and that, with extended hours of polling—which he sincerely hoped would be brought about—the very general complaints of inability to go to the poll without losing time would be considerably reduced. Then, as to the assertion that it was very hard indeed for electors to walk three or four miles to record their votes, he could assure the Committee that, by the great majority of working men electors, it was looked upon as a high privilege to vote; and the more they insisted upon enforcing that view of the case the better it would be for purity of election. They ought not to pander to the novel idea that the election day was a holiday or festive occasion, when men in the habit of toiling all the other days of their lives were to be conveyed up and down the borough behind a pair of horses in a carriage, the owner of which would not turn round to recognize them either the day before or the day after the election. It appeared to him, if he might use such a strong term without offence, nonsense to say that men could not be expected to walk two or three miles for the purpose of recording their votes. He himself had, at least three or four nights a week, to walk four miles in order that he might remain in the House after 12 o'clock at night to discharge his duty in recording votes; and if he, and probably other Members besides, were to be called on, six or eight months out of the twelve, to walk four miles after 1 or 2 o'clock in the morning, in order to discharge a Parliamentary duty, surely hon. Members ought to be the last to hesitate to call upon electors to walk three or four miles, once in the course of four or five years, in order to record their votes for a Member of Parliament. He trusted his hon. Friend the Member for Wolverhampton would not go to a Division on this question, because he was certain the hon. Gentleman would himself see, on second thoughts—if he had not given second thoughts to it already—that the proposal was absolutely in favour of the rich, and to the disadvantage of the poor man.

MR. GORST said, he agreed with the hon. Member who had just spoken in trusting that this Amendment would not be pressed to a Division, as he was quite sure that the power of using carriages wholesale would result in great corruption. On this matter he (Mr. Gorst) was rather in the position of a person standing before them in a white sheet, because in the last Parliament he pressed on the Government the desirability of adopting one of two alternatives—either to make the hiring of carriages a corrupt practice which should void the election, or else to legalize it. The reason he did that was because the law, as it stood, down to the end of the last Parliament, was a dead letter. It was habitually evaded, which circumstance produced a very bad moral effect, and led to a great deal of corruption. The course taken by the Government, though it was taken with a good intent, led, he believed, at the last Election, to a large amount of corruption. He was very strongly of opinion that if they wished to have purity of election in boroughs they must certainly put down the practice of hiring cabs. In boroughs which were real boroughs there was no necessity for paying for the conveyance of voters to the poll; and he did not think that either in boroughs or in counties they should be without proper provision for enabling voters to record their votes without putting themselves to a great inconvenience. He did not see why the Returning Officer could not go to the house of a sick voter, or the house of a lame voter, and take his vote—they should not carry the elector to the poll, but the poll to the elector—and he failed to see what objection there was to that. The same thing might be done in sparsely populated districts. In these exceptional cases it would be far better to establish some system by which the poll could be taken to the elector than to run the great risk of producing corrupt practices by permitting the conveyance of the voter to the poll. While admitting there might be some cases where it was necessary to make some provision for taking the vote where the elector was either infirm or lame, or such a distance from the poll, or that it was impossible for him to walk or convey himself there at his own expense, he was sure that so sweeping an Amendment as that of the hon. Member for Wolverhampton would open the door to a vast amount of corruption; and, for that reason, if the hon. Member went to a Division, he (Mr. Gorst) should have to vote against him.

Mr. MONK said, he hoped his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler) would take the advice offered to him, and not press his Amendment to a Division. The hon. Member for Stoke (Mr. Broadhurst) had alluded to a Bill, which was brought in during the latter days of the preceding Parliament, which legalized the conveyance of electors to the poll by means of carriages. Many hon. Members now sitting on that side of the House made earnest appeals to the Government not to press that part of the Bill; but, unfortunately, it was after the Dissolution had been announced, and few Members remained in their places except those who were obliged to be present to support the Government of the day. There were, however, a few Scotch Members who made so strong a protest against legalizing the conveyance of voters to the poll by means of hired vehicles, that the Government gave way in the matter with regard to Scotland. Surely, if they had made it illegal to convey voters to the poll in the Scotch boroughs, there was no reason—at all events as far as he could see—why it should not be illegal to convey voters to the poll in the English boroughs. The practice was quite unnecessary, because, with the exception of four or five large boroughs in England, which were, in fact, small counties, there were no polling places at a greater distance than half a mile from the residence of the voter; and it was, of course, easy enough for the voter to walk to the poll. But in the case of invalids he thought the suggestion a good one—that the Returning Officer, or one of his deputies, should be allowed to attend the house of a voter, on a sufficient medical certificate being produced, to take his vote. He trusted his hon. Friend would not think it necessary to go to a Division on his Amendment.

Lord GEORGE HAMILTON said, he gathered that the practical effect of this Amendment, combined with subsequent Amendments, would be to legalize the conveyance of voters both in boroughs and in counties. He could not speak from any personal knowledge as to the necessity for the conveyance of voters in boroughs; but he was certain, with regard to counties, that the prohibition of the conveyance of voters to the poll would be equivalent to the disfranchisement of a large number of electors, who must necessarily belong to the very poorest class. The hon. Member for Stoke (Mr. Broadhurst) had informed the Committee that every night after the adjournment he was accustomed to walk home—a distance of four miles—and he concluded that, therefore, a working man would be able to walk the same distance in his dinner-hour for the purpose of recording his vote. But that reasoning he thought perfectly absurd. Again, he did not believe there was any proposal made in the Bill which so handicapped poor candidates as that of stopping the conveyance of voters to the poll. How were the Government going to deal with the acknowledged difficulty involved in this question? They proposed to bring the poll to the voter—that was to say, they intended to have more polling places; and he understood that in every county and borough there would be a polling place for every 500 voters. The effect of this would be that, as the number of voters would be greatly increased, so the expenses of the Returning Officer would be proportionately increased. But the expenses of the Returning Officer was compulsory on the candidate, whereas the expenses set forth in the Schedule to the Bill were optional. Thus they were going to relieve optional expenditure in order to increase compulsory expenditure. Therefore, he said that in proportion as they increased the expenses of the Returning Officer they would disqualify the poor candidate. That was a point which he believed had not yet been mentioned in the Committee by any hon. Member. The Bill was designed to produce purity of election; but did anyone say that the sanctioning of the conveyance of voters to the poll had in any way led to corruption? There was not a single allegation of the kind in the last Election Petitions; it was never hinted that the expenditure upon conveyance had, in the slightest degree, influenced the result of any election. He maintained that if the Bill passed in its present form, the Government were disfranchising a large number of persons belonging to the poorest class of the community. He had an Amendment lower down on the Paper, which, after listening to the various opinions which had been expressed on the subject, he intended, if the present Amendment were not carried, to lay before the Committee. the proposal was that the conveyance of voters should be allowed in counties, and not in boroughs. The Government had admitted that there were material obstacles in the way of a voter recording his vote, which would have to be overcome. It was agreed that when a voter lived in an island, the candidate might convey such voter across that part of the sea which separated him from the main land. In this case a material obstacle was offered to the voter's recording his vote by the sea; but the obstacle was just as great when a distance of three or four miles on land separated him from the polling place. If a man could be rapidly conveyed to the poll he could get through all the business of voting in his dinner-hour; but if he had to walk there it would take him more than an hour to record his vote. That being so, if an employer wanted to prevent his men voting he could easily do so; he would be enabled by the Bill to exercise a considerable amount of undue influence. Looking at the matter from a perfectly impartial point of view, he thought the best plan would be to allow the conveyance of voters in counties. The amount of expenditure could, of course, be limited; and, if that were done, it would protect candidates standing for counties from undue exaction for the hire of carriages; it would reduce the amount which the poor candidate had to pay to the Returning Officer, and generally, he believed, the plan would work well. If the hon. Member for Wolverhampton went to a Division he should support him, because he was generally in favour of the conveyance of voters to the poll. If the Amendment were lost, he hoped the Government would bear in mind the observations he had made. One thing was clear—they could not make conveyance of voters to the poll an illegal practice. It was all very well to say that a rich man should not be conveyed; but suppose a costermonger gave his friend a lift on the road to the poll, did the Government propose to make that an illegal practice? He thought the Amendment before the Committee was one which common sense and experience had shown to be worthy of attention.

MR. CAINE said, he hoped the Attorney General would not give way, because he was satisfied there was not a readier way of corrupting constituencies than the hiring of cabs at elections. In some constituencies there were a great number of voters who owned public carriages, and nothing would be easier than for a rich candidate to hire every cab-driver in the town, paying him considerably more than he could get for his day's work, and in that way corrupt a number of voters, sufficient, perhaps, to turn an election. He had a Return in his hand which related to the elections for the borough of Preston; and he found that on the occasion of one election £211 17*s.* 6*d.* was spent in cab hire by the Conservative candidate, and £117 2*s.* 8*d.* by the Liberal candidate. On the second occasion, Mr. Simpson, the Liberal candidate, polled, without employing a single cab, almost within 100 votes of Mr. Thompson, who was better known in the district. He did not hesitate to say that this clause of the Bill was as necessary in counties as in boroughs; he believed that 99 out of every 100 electors walked to the poll, and that so long as the system of hiring vehicles for conveying them there lasted it would lead to the most extensive bribery.

Mr. HICKS said, there could be no doubt that this was a most important and difficult question. If they drew the line too strictly they would disfranchise a number of electors; on the other hand, if they relaxed the clause they might open the door to a great amount of bribery and corruption. But there appeared to him a way out of the difficulty. As far as boroughs were concerned, he thought it might be met by the suggestion of the hon. and learned Member opposite (Mr. Gorst), that in special cases the vote might be taken at the house of the electer; while he was of opinion—and he asked the attention of the Attorney General to this point—that in counties the same privileges might be allowed to electors who had votes in districts other than those in which they resided as were now enjoyed by electors who lived outside counties. At present, an elector living in Westminster, having property 20 miles from London — in Surrey or Kent — might vote at the nearest polling station to the river-side; but if he had happened to live on the other side of the river, he would have been obliged to travel 20 miles in order to record his vote. That appeared to him an anomaly. He thought there would be no necessity for the conveyance of votes if they were allowed to vote in the district in which they resided. With regard to those voters who lived out of the county, he thought they might, with great advantage, adopt the practice of voting by papers, which was now in operation in the Universities. That system prevailed not only in the English, but in the Scotch Universities; and, as far as he was aware, there had never been any complaint that abuse or malpractice of any kind had resulted from it. Therefore, he thought Her Majesty's Government would do well to take into consideration the two small but important alterations he had suggested—namely, that every elector resident in counties should vote at the polling place nearest to his residence, and that the elector who lived outside should vote by papers. If these proposals were adopted, he thought the other Amendments on the Paper could be got rid of, and the sub-section they were engaged upon easily passed.

Mr. JOSEPH COWEN said, his hon. Friend had stated that the employment of cabs was a source of corruption; they were, undoubtedly, a source of expense; but there was a difference between those two things. In some districts the mine owners had been known to utilize the pit ponies for the purpose of conveyance; and he said if a poor man were to be put in the position of not being allowed to hire conveyances, or to allow his friends to do so for him, and if the large employer was to be allowed to use the means of conveyance in his possession, then the poor man would be placed in an unfair position. He was disposed to support the Amendment of his hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler); but, if that were not agreed to, this matter would have to be carried to its legitimate length. As the question now stood, he should vote for the Amendment, because he thought the Government position was at present inconsistent and inconsequent; and, as it had been justly said, it would place the rich man at an advantage.

Mr. HORACE DAVEY said, that he should be glad if the hon. Member for Wolverhampton would accept the invitation from that side of the House to withdraw his Amendment. If the hon. Member went to a Division he was sorry to say he could not support him, because, in the first place, he was sure that legalizing the conveyance of voters to the poll in carriages hired by the candidate would seriously increase the cost of the election. It was quite true, as the noble Lord had said, that it was optional upon the candidate to spend money in this way or not; on the other hand, if it were not permitted to the candidate to convey voters to the poll, the expense of the Returning Officer would be increased, because the number of polling places would be increased. But he thought the voluntary hiring of carriages was practically compulsory, because, if the number of polling places were not sufficiently increased, it would be almost impossible, if one side hired all the carriages, for the other candidate to get voters to go to the poll. The borough which he had the honour to represent was one of those improperly so-called, for it was, in fact, a small county; in it the voters lived a considerable distance apart, and unless the number of voting places was increased, it was almost a necessity that the voters should be conveyed to the poll. The increase of the number of polling stations meant an increased expenditure; but that would be less than the present expenditure, which, although it was said to be voluntary, was, in fact, compulsory so far as the candidates were concerned. Not only did he think that to allow the candidate to incur expense for the conveyance of voters to the poll would lead to corruption, but he disliked a system which led the voter to suppose that it was the duty of the candidate to convey him to the poll; the idea ought not to be encouraged that it was any part of the candidate's duty to afford facilities for voting. He held that the more the electors were made to understand that they had to discharge a public duty in recording their votes, and that they were not to place themselves under any obligation to the candidate, the nearer would be the approach to purity of election. The system of allowing candidates to hire carriages for the purpose of conveying voters to the poll, even in the case of those who lived at a distance from the polling stations, would, in his opinion, be attended with bad effects, because if they allowed it in one case the electors would expect it to be done in another. It was practically the case now that they expected the candidate to take them to the poll, even though they could and ought to walk there. For these reasons, he could not vote for the Amendment of the hon. Member for Wolverhampton. They must remember that, although people in the middle rank of life and the lower rank of life did not keep carriages or drags, a great many of them kept carts, which they were very ready to utilize on the day of an election in conveying voters to the poll if they knew they were to be paid. He was quite sure that if they legalized the hiring of carriages, persons who threw a cart into the work would expect to be paid for the loan; if they made it illegal to hire carriages, a great many of a candidate's supporters would voluntarily place their carriages and their vehicles at his disposal.

MR. ASHMEAD-BARTLETT said, he hoped the hon. and learned Gentleman the Attorney General would stand firm, and refuse the Amendment of the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler). The Committee would be extremely sorry to learn that there was no one in Wolverhampton who would lend his carriage to the hon. Member to carry voters to the poll, just as they would be extremely sorry to hear that the cab-drivers of Scarborough were open to corruption, as the hon. Member for Scarborough (Mr. Caine) had described them. This was a very important clause; and it was perfectly evident that in boroughs, especially large boroughs, the employment of a great number of vehicles might not only be the cause of large expense, but of a very serious amount of corruption. He, however, should be disposed later on to support an Amendment which would justify the conveyance of voters residing beyond a certain distance. He considered that a distance of two or three miles warranted the conveyance of voters to the poll. The borough he had the honour to represent was, undoubtedly, the purest constituency in England. [" Oh, oh!" *and cheers.*] Corruption had never been known in the borough of Eye. He was sorry that the mention of the borough was received with a good deal of misplaced levity by the hon. Member for Stoke (Mr. Broadhurst). Certainly, Eye had never returned such Members as the borough of Stoke was in the habit of returning. Reference was made by the hon. Member who had just sat down to the impossibility of preventing persons, whether they belonged to the wealthy or the poorer classes, offering to convey their friends to the poll. It was quite obvious that such a prohibition was quite impossible; indeed, as the noble Lord the Member for Middlesex (Lord George Hamilton) had put it, how could they prevent a costermonger carrying his friend in his cart to the poll? How could they in the country prevent a farmer carrying any of his brother electors to the poll? Anyone who knew country districts well knew the amount of good feeling and good fellowship which prevailed at election times; and when one man conveyed another in his cart to the poll it was certainly not for the purpose of influencing his vote. It would be impossible to carry out the suggestion of the hon. Member for Wolverhampton (Mr. H. H. Fowler), supported as it was by the hon. Member for Newcastle (Mr. J. Cowen), to its extreme conclusion. In large boroughs it was unreasonable to prohibit the conveyance of electors. For instance, the borough of Eye covered 50 miles in circumference. It comprised 11 large-sized villages, and many of the inhabitants were over two miles from the polling-stations. Certainly, no one would say that such voters should not be conveyed to the poll; and he imagined that there would be no difficulty, ultimately, in accepting some of the Amendments which referred to this point. But, as a general principle, if the Government were in earnest in wishing to put down corruption, they ought, in this matter of hired conveyances, to stand firm.

Mr. LABOUCHERE said, there appeared to be some difference of opinion with regard to the conveyance of voters in counties. He listened with interest to the remarks of the noble Lord the Member for Middlesex (Lord George Hamilton) with regard to this matter, because a few years ago he had the honour of contesting Middlesex with the noble Lord, and he knew how expensive the carriage of voters was on that occasion. He believed between them they begged, borrowed, and hired every single carriage they possibly could in Middlesex. In looking over the Return, he found that it cost the noble Lord as much as £1,064 for the carriage of voters, and that did not include the whole number of carriages that were used, because he believed the noble Lord himself was very popular in Middlesex amongst the "gigocracy," and if he had not borrowed a large number of carriages he would have been required to spend considerably more. He quite admitted, with the noble Lord, that there was very great difficulty in having polling places so numerously situated as to bring them home to the door of every elector, and that it seemed hard upon a man if he had to walk four or five miles to a polling station, while someone else lived next door. He thought, however, it would be a still greater evil and objection to continue to permit this large expenditure of money in the counties upon the conveyance of voters. Many Gentlemen might be able to afford the expense; but when they had in one constituency an item of above £1,000 for the conveyance of electors simply, it was clear they limited the choice of electors. So far as he was concerned, he should be glad to see the polling places increased, and that not at the expense of the candidates, but of the community at large. He would go even further than his hon. Friend the Member for Newcastle (Mr. J. Cowen), because he admitted there were places in which the electors were so few that it was impossible to have a polling station. If electors were required to walk a long way he would do what was done in America. In America, if a man lived a long way from a polling station, his expenses were paid to the polling place. If that were done here everyone would be put upon an equality. That, however, could not be provided by this Bill, because the Attorney General (Sir Henry James) had declined to accept the view that the expense should be thrown on the constituency. They had actually to choose between two evils—namely, some sort of inequality on the one hand, and large expense to the candidate on the other hand. Personally, he held it was undesirable to allow the present large expenditure for conveying voters to the poll to continue.

Viscount GALWAY said, he had an Amendment on the Paper providing that if a voter resided more than 15 miles from the nearest polling station he should be permitted to send in a voting paper stating which of the candidates he voted for. Of course, he did not tenaciously hold to the limit of 15 miles. If, however, the hon. Member for Wolverhampton (Mr. H. H. Fowler) went to a Division, he (Viscount Galway) would feel compelled to vote against him, on the ground that if the Bill was to be of any practical use it ought to put down the large amount of unnecessary expense which was now incurred in conveying voters. He knew something of election contests in counties, and it was quite true that it was necessary very often to bring a certain number of voters up to the poll. As the law now stood, electors seemed to think they had a right to be conveyed at the cost of the candidate. That was a notion that ought to be at once disabused. Certainly, he should strongly oppose the suggestion of the hon. Member for Newcastle (Mr. J. Cowen) that no one should be allowed to convey himself or a friend to the poll, because he regarded that as an unjustifiable interference with the liberty of the subject.

MR. RYLANDS said, he could not understand the noble Lord's (Viscount Galway's) position. The noble Lord would be very willing to prohibit the very extravagant methods which were now adopted for bringing up people to the poll; but he desired to reserve to himself, and to Gentlemen situated like himself, the privilege of taking voters up to the poll in their own carriages. Did the noble Lord suppose that that was not a bribe? What had they been doing? The hon. Member for Eye (Mr. Ashmead-Bartlett) had said they surely would not prevent a costermonger taking his friend up in his own cart. Yes; he (Mr. Rylands) would; he would prevent a costermonger giving a friend a shilling for his vote, just as he would prevent him giving him a lift to the poll. [Viscount FOLKESTONE: Oh!] Yes; the noble Lord (Viscount Folkestone), with his carriage and pair, might very easily bribe—["Oh, oh!"] Yes; he might very easily bribe a farmer. The very fact——

VISCOUNT FOLKESTONE rose to Order. He wished to know if there was any Question before the Committee as to conveying voters to the poll except in carriages paid for?

MR. RYLANDS, continuing, maintained that he was strictly in Order. He was remarking that it was necessary to stop the use of private carriages; and he was arguing, further, that the noble Lord (Viscount Folkestone), if he chose to use his carriage and pair in bringing farmers and others up to the poll, he could, by so doing, exercise a considerable influence upon the voters. The very fact of riding in the noble Lord's carriage, or the noble Lord's friend's carriage, would, no doubt, have considerable effect on a voter's mind. He (Mr. Rylands) had experience on this matter, and he would give the Committee the benefit of it. In 1868—he saw the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) looking very earnestly at him, and he could understand the reason, because the right hon. Gentleman knew perfectly well what he was going to say—there was an Act passed which prohibited the use of conveyances in boroughs, and it was supposed by some very simple people that they must not infringe the law by taking anybody up to the poll. He (Mr. Rylands) was one of those simple people; and so anxious was he not to do any illegal act that he did not engage a single carriage. But what happened with his opponents? In Warrington, where the contest in which he was engaged took place, all the butchers, for some reason or other which he could not understand, were all Tories; and what with Cheshire squires with their yellow carriages, and butchers with their spring carts, the supporters of his opponent were brought up in such numbers that very early in the morning his committee began to think that he would be defeated. Two hon. Friends of his stood for Salford, and they determined not to use cabs. Their opponents did, and the result was that his Friends were defeated by a small majority; he had no doubt if his Friends had used cabs they would have been returned. They must either do one thing or the other. It was absurd to say it was not a bribe to bring a man up to the poll in their carriage. A Friend of his, Mr. Harrison, a man of the highest respectability and honour, was returned for Bewdley. One of his friends was in the habit of lending a threshing machine to his poor neighbours. The man was a Quaker, and he said to a voter when he agreed to lend him the machine—"I suppose thou wilt vote for our friend Harrison?" The result was that, because the man had said that when lending the threshing machine, Mr. Harrison was unseated; it was held to be a bribe. The Government were bound to say one thing or the other. Did they wish to prevent the conveyance of voters to the poll in private carriages? If they did, they must lay down a rule in such a form that it could not be evaded. He could buy a dozen carriages, and he supposed some hon. Gentlemen opposite would; if Gentlemen were allowed to take voters up to the poll in their own carriages, there was no difficulty whatever in their being well provided with vehicles. The noble Lord (Viscount Folkestone), there was no doubt, would be able to obtain the use of two or three dozen, or even 100 carriages. He (Mr. Rylands) would put a stop to the conveyance of voters to the poll altogether. It was absolutely necessary they should do something, and if they did anything at all they ought to do it thoroughly.

Lord RANDOLPH CHURCHILL said, he was disposed to agree with the hon. Member for Burnley (Mr. Rylands) that the Government ought to say explicitly what they meant to do. The Bill as it stood was perfectly useless, and could be easily evaded. It would be very possible for a friend, before an election, to lend a carriage; he was aware that carriages would be wanted to convey voters to the poll, and he lent his carriage, the loan of which was to be repaid by another loan some time or other, after the election. That was the usual practice, and the Attorney General (Sir Henry James) had put nothing in the Bill to prevent it. In rural districts the hiring of conveyances led to a great deal of corruption, because all publicans and hucksters kept a carriage, or cab, or wagonnette, or some sort of conveyance, and if a candidate would not hire a vehicle the owner would not vote for him. He defied any hon. Member who had any experience of rural elections to contradict that statement. The only way to grapple with the evil was to make the hiring of conveyances illegal, and then, by every means, multiplying the number of polling places. It was certainly hard for a man to have to be required to go a long way to a polling booth; but if the Government would consent to enlarge their Schedule of expenses so far as the provision for polling places was concerned, it would make very little difference in the expenses of the candidate, but would obviate the need of conveying voters.

Sir RAINALD KNIGHTLEY said, he objected to the fixing of heavy pains and penalties upon what was no offence whatever; he could not conceive what possible corruption there was in conveying a man to the poll. It certainly was no inducement to a man to vote in any particular way, and it certainly was no pleasure for him to be jolted on a bad road for four or five miles for the sake of performing a duty the country expected of him. It often happened in counties that the electors were not in a position to walk four or five miles, and neither were they in a position to pay the expense of a conveyance. In Hampshire, his own county, there was a considerable number of very poor electors. Supposing one of these electors came to him, or to any other county Member, and said—"I have voted for you on many previous occasions, and I was anxious to do so again; but I am now so old and infirm that I was not able to walk to the polling station; I had no conveyance, and I therefore hired one which cost me 4*s*. or 5*s*. As I am a very poor man, it will be very inconvenient for me to pay that money, and I would be much obliged to you if you pay me a little towards it." He (Sir Rainald Knightley) could not conceive that he would be guilty of any great moral offence if he were to pay the cost of the conveyance; but, according to this Bill, he would be liable to a penalty of £100, and deprived of voting at any municipal or Parliamentary election. Nowadays they did not require a voter to be intelligent; but they did require him to be able to walk three or four miles. If the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) went to a Division he should support him.

Mr. ACLAND said, he approved of the course the Government had adopted in this matter. In some parts both of West Somerset and East Cornwall the number of electors was exceedingly small, and the polling districts were very large. He believed he was not wrong in saying that in the polling district of Exmoor the number of electors was not more than 90, and the district was not less than eight miles across. To put an increased number of polling places in these districts there would result in throwing an unreasonable expense on the candidates. He was certain there were several other constituencies in which the same kind of thing occurred. He did not know Yorkshire well; but there must be many parts of Yorkshire in which there must be a similar state of things. They were told that the voluntary conveyance of voters was a means of great corruption. He, however, believed that it was exactly the reverse. There was nothing more common than a combination of voters to provide for their own conveyance to the poll, and there was no reason in the world why electors should not be able to carry one another to the poll. He objected to anything like legalizing in counties or boroughs payment for conveyances; it was almost impossible that that should be done without corruption; and he sincerely trusted that the Government would not agree to any Amendment on the subject.

SIR R. ASSHETON CROSS said, he considered the speech of the hon. Gentleman who had just sat down (Mr. Acland) had the very opposite effect to the one intended, because the hon. Gentleman had pointed out the great difficulty there was in large counties of voters exercising the franchise. The hon. Gentleman hinted at Yorkshire. Now, he (Sir R. Assheton Cross) could speak with some knowledge of the neighbouring county—Lancashire—in which the polling districts were very large. The hon. Gentleman (Mr. Acland) had said it was impossible that polling places could be provided in sufficient numbers to meet all cases. Now, the object of the Government in this Bill was two-fold—the one was to stop corruption, and the other to prevent extravagant expenditure at elections. Personally, he did not consider there was any corruption at all in hiring carriages. ["Oh, oh!"] Well, that was his opinion. And, speaking from experience, he did not think that one single voter was influenced by being carried to the poll. When they came to the question of expenditure, he agreed that the conveyance of voters was a very serious matter; and he entirely agreed with what was evidently in the mind of the Attorney General (Sir Henry James) that if the expenditure now incurred in conveying voters to the poll was allowed to continue the Schedule of expenses would have no chance whatever of being carried in the form in which it existed. The question seemed to him to divide itself into two parts, one with regard to boroughs, and the other with regard to counties. Boroughs and counties stood on a totally different footing; and if hon. Members would recollect how this Bill came to be introduced they would see on what a very different footing counties and boroughs did stand. According to the old law, it was illegal in boroughs to hire cabs; but though it was illegal the result was that in some cases both parties entirely disregarded the law; in some boroughs the political Parties decided that neither would prosecute the other for that disregard of the law. It was under these circumstances that the late Attorney General (Sir John Holker) brought in a Bill, in 1880, to allow the use of conveyances at elections. It was impossible that the then state of things could be allowed to exist, and the Government were obliged to decide what they would do in the matter. They were required to decide what they would do, and the result was that they resolved to legalize the conveyance of voters in boroughs, and an Act was passed accordingly. The right hon. Gentlaman the President of the Local Government Board (Sir Charles W. Dilke) made a remark which he (Sir R. Assheton Cross) thought was extremely sensible. The right hon. Gentleman said it was not the course he would have recommended, for he considered it would have been far better to have put a stop to the practice altogether; but he felt the late Government could not have carried a proposal to that effect, and, that being so, the Government were driven to do what they proposed, for nothing could be worse than to leave the country in its then state of uncertainty. He believed that in boroughs, if polling places were increased, people would be able to get to the poll without conveyances; but in counties the case was very different. If they were to say that the voters in the distant districts should not be conveyed to the poll they would be practically disfranchised, and thus a great hardship would be worked. He could not understand how there could be two opinions as to the right of a man to convey a voter to the poll in his own carriage. The question, however, was, how were they to vote in this matter? If the question only affected boroughs, he should not care two straws which way the vote of the Committee went, because he really did not think it made any difference. He confessed he should be rather glad to see the practice done away with in boroughs; but in counties the case stood on a totally different footing. The hon. Member for Wolverhampton (Mr. H. H. Fowler) proposed to strike out the words "on account of the conveyance of electors to or from the poll." He (Sir R. Assheton Cross) would like to see those words struck out; and he would like to leave it to the Attorney General, if he wanted to confine the clause to boroughs, to introduce words to that effect. He should vote for the omission of the words.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, this was a question of great importance, upon which hon. Members might take a different view, and which he was happy to say had, from first to last, been discussed in a spirit which was likely to lead them to a right conclusion. He could not agree with the right hon. Gentleman (Sir R. Assheton Cross) that because he was a county Member he ought not to care what was done for boroughs.

SIR R. ASSHETON CROSS said, he distinctly stated that he should be glad to see the practice of conveying voters to the poll in boroughs abolished.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that was a question of degree, because, so far as the principle was concerned, if counties claimed exemption on account of distance, in boroughs there were infirm voters who could not vote, however near the polling place might be. The position of the question before 1880 was that the conveyance of voters in boroughs was an illegal payment, whilst in counties it was a legal payment. The late Government legalized payment for conveyance of voters both in boroughs and counties; but they had now their experience since 1880 to guide them. The result of that had been that, without doubt, the expense of elections had been vastly increased since that time; and, as the right hon. Gentleman (Sir R. Assheton Cross) had said, one of the objects of the Bill was to prevent extravagant expenditure at elections, and the conveyance of voters was one of the items of expenditure that could be readily got rid of. It was proposed, both in respect of boroughs and counties, that it should be rendered illegal to expend money in the conveyance of voters. Now, the evil with regard to expenditure was far greater in counties than in boroughs, quite independent of corruption. The present large expenditure shut out all men of moderate means from the representation of counties; and as they increased the expenditure in counties they diminished the worth of their Representatives. The necessity of this Bill, therefore, was forced upon them. Let them take particular county Members opposite into council. What did they say? What was the view with respect to this question entertained by the bulk of county Members? Did they wish to maintain that great expenditure? Did they desire that their election should be carried at much expenditure? If they said they did, he almost thought they could approach the question from a Party point of view. He would accept their view; and he believed, if any question could affect his mind in relation to this Bill from a Party point of view, it would be the most satisfactory result to the Liberal Party of continuing the conveyance of voters in counties. He had received remonstrance after remonstrance that this Bill was detrimental to the Liberal Party. Liberals were constantly urging upon him that the hiring of conveyances should be permitted, because the vast majority of carriages that would be placed exclusively at the disposal of voters were those owned by Conservatives. It was quite plain that the Conservative Party, owing to their superior social position, had a far vaster number of carriages at their disposal than the Liberal Party; but it appeared to him that that was a consideration that ought not to weigh with them at all. They must take the good and the bad together; and if it was a right thing to do, they ought to do it. If hon. Members opposite would take that view, and say that the practice of employing carriages in counties should no longer prevail, he would undertake to say that those who were mostly interested in the Liberal Party in counties would agreeably accept the same view. They, however, ought not to look at this question from a Party standpoint; they ought not to be guided by any consideration as to which Party would gain or which would lose by the change. He hoped the Committee would understand the effect of the Amendment. He saw no way of effecting the principle of a Maximum Schedule if the Amendment was carried. If they were to say that this expenditure was to continue, they would have a rich candidate engaging carriages of every kind—a fact that would place him in a much superior position to a poor opponent. Were they going to suggest that they should have limited expenditure in counties in respect to conveyances? He asked the Committee to beware of accepting the Amendment, unless they were going to abandon the Maximum Schedule. What would become of the constituencies? He believed that they would be polled to a very great extent, and that everyone who wished to go to the poll would get there in some way or other. In olden times no elector was taken to vote. The freeholders of Buckinghamshire who supported John Hampden were not conveyed to the poll; the Yorkshire voters who supported Wilberforce in 1784 found their own way to the poll; and, to come down to recent years, the hon. Member for Herefordshire (Mr. Duckham) found his way into that House without hiring one single carriage. He had no hesitation in saying that, without conveyances, men who really desired to record their votes would find their way to the poll, just as they now found their way to the church or the market town. Those, then, who wished expenditure at elections to be reduced would do wisely if they accepted the Bill as it was now framed, and did not agree to the Amendment.

Mr. R. N. FOWLER said, the hon. and learned Gentleman the Attorney General had made a great point about diminishing the expenditure in the counties. He wished to remind the Committee of this—that it might be true that isolated county elections were expensive; but that it was not, in the long run, an expensive matter to sit for a county. Often one election was very expensive and another was very cheap. If they looked at the county Members in that House they would find that some hon. Gentlemen had sat for counties for many years without a contest. In the case of North Wiltshire, the uncle of his hon. Friend (Mr. Sotheron Estcourt), who now represented that county, sat for 30 years without one. It frequently happened that when the strength of Parties in counties was once decided there was no election for 30 or 40 years; and the county Member who had fought his way into the House at considerable expense very often sat for the term of his natural life without having to go through any further election contest. He very much doubted whether the cutting down of expenditure in county elections would be found to be a cheap thing, in the long run, for county Members. The question, however, now before them was that of the conveyance of voters; and they were told by hon. Gentlemen opposite—they were told by the hon. Member for Burnley (Mr. Rylands) that every gentleman ought to walk to the poll. As he understood his hon. Friend (Mr. Rylands), if he (Mr. R. N. Fowler) rode to the poll on his horse he would commit an illegal act. The hon. Gentleman did not wish electors to drive in their own carriages or ride on their own horses, but to walk to the poll. That seemed to him (Mr. R. N. Fowler) to be a very novel principle to set up. It seemed to him that the Bill was intended to enable any man to get into the House of Commons without expense. They all wanted to see the amount of expenditure diminished; none of them wanted to spend more money than they need; but, at the same time, he did not think the course the Government were pursuing on the Bill was one that would raise the character of the Members in future returned to the House.

Mr. JESSE COLLINGS said, he hoped the hon. Member for Wolverhampton (Mr. H. H. Fowler) would see his way clear to withdraw the Amendment. He was sure, in so doing, he would meet the wishes of the Committee. As far as boroughs were concerned, cabs were not wanted. Anyone who had seen a borough election would see that there was a cab given to each canvasser; in that cab possibly a voter was brought up who lived, perhaps, only 30 or 40 yards off, and as the day wore on they found the cabs standing near the polling booths in large numbers absolutely doing nothing. Setting aside the question of corruption, the Government ought to stand by this proposition on the ground of expense, seeing that this was a Bill to reduce expenditure at elections. The only excuse for the use of cabs in boroughs was that named by the noble Lord opposite (Lord George Hamilton)—namely, that it very often happened that working men were at work some distance from the polling booth, and could only vote in their dinner hour; but the real remedy for that was to keep the poll open until 8 o'clock at night. He believed that neither side wanted to be put to the expense of cabs; but if one side did it the other side did it. The remedy in counties would be found in the multiplication of polling booths. Although that might throw extra expense on the Returning Officers in some cases, there would be a distinct advantage gained. It was a positive disgrace to see the expense to which county Members were put with regard to the conveyance of voters. For instance, in the last election for East Cumberland £2,680 was spent in conveying voters to the poll; in North Durham, where there was a constituency of 13,000, £4,069 was spent in conveyances; in Bedfordshire, however, the successful candidates only paid something like £46 in conveyances; whilst in Montgomeryshire as much as £5,800 was expended in the conveyance of voters. He thought that the Committee ought to sympathize with the position in which county Members were placed against their will. It must be against their will, because, as long as the law allowed it, as long as there were the means to do these illegal things, they would be done; and no county candidate dared refuse expenditure when it was made for him. They seemed to have been mixing up two questions—namely, the hiring of conveyances and the loan of conveyances. The two things were not necessarily connected, and they had better dispose of the one, and secure the candidate from unnecessary expense, by rendering it illegal for him or his agent to hire a conveyance, and then turn to the consideration of the other question.

Mr. WHITLEY said, that the question was one of considerable importance. He represented a large city, and the majority of the electors there were of the working classes. A large number of them lived at least five miles from their places of business. Many hon. Members had suggested, as a remedy, an increase in the number of polling stations; but that would not meet the difficulty in such a city as Liverpool. The place at which a man was to vote was generally near his place of residence; and if a man had to go five miles to work, it would be utterly impossible for him, during his dinner hour, to record his vote, unless he could be conveyed to the booth. The abolition of the right of conveyance would mean the disfranchisement in Liverpool of at least 20,000 working men, unless they were prepared to sacrifice their day's labour. He would not be one who would in any way attempt to disfranchise the working classes of this country; and, therefore, he should support the Amendment of the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler). He regretted very much that he had not spoken before the Attorney General addressed the Committee, because the hon. and learned Gentleman had not alluded to this question, and he seemed to suppose that the extension of committee rooms would meet the difficulty. He (Mr. Whitley) wished to point out that the extension of committee rooms would not meet the difficulty, and that it was absolutely necessary that they should have some means by which these people could come to the poll—otherwise they would be practically disfranchised. The question was a difficult one, but it had to be faced; and he earnestly hoped the Government would give it their best consideration.

Sir CHARLES W. DILKE said, the hon. Member appealed to the Government as to what plan they would propose to meet the case of the working men in Liverpool who would be disfranchised by the present proposal. In reply to the hon. Member, he would point out that there was another Bill before the House—namely, the Ballot Bill—in which the Government had made a proposal which they thought would meet the point raised by the hon. Member. Did not Liverpool follow the practice adopted in the other large towns of Lancashire of giving a half-holiday to the working people on the day of election? [Mr. Whitley: No, no!] At any rate, that had always been the statement of Lancashire county Members. Those hon. Gentlemen had always opposed the proposal for extending the hours of polling, on the plea that it was the custom in Lancashire to give a half-holiday on the election day to enable the working men to record their votes. But if, as the hon. Member for Liverpool had said, this facility did not exist in Liverpool, then, as he had pointed out, the remedy for the evil would be found in the extension of the hours of polling, which would be given in the Ballot Bill.

Captain AYLMER said, that before the Committee went to a Division on this point he wished to ask a question of the Government. For himself, he was opposed to the use of vehicles at elections; but there were many districts where voters were eight or nine miles from the polling place, and the hon. and learned

Gentleman the Attorney General had not as yet said one word as to how he proposed to meet that difficulty. It was suggested that the difficulty might be got out of by enabling electors to vote by means of voting papers; but not one word had fallen from any Member of the Government with regard to that matter. There were also some other questions, such as that which had been mentioned by an hon. Member sitting below him—namely, the case of those who were not allowed by their employers, who differed from them in politics, to be absent on the polling day, except at the dinner hour, which the hon. and learned Gentleman had not dealt with. How did the hon. and learned Member propose to deal with the case of these electors? Then, also, there was the case of voters who were either too old or too infirm to walk to the polling place. Were they to be disfranchised? The case of these three classes of men had been brought under the notice of the Attorney General, and yet, in his speech, he had not said one word about them. How were all these men to get to the poll? If they were to receive no facilities to enable them to get to the polling places, were voting papers to be allowed? This question should be answered by some hon. Member from the Front Ministerial Bench.

MR. T. E. SMITH said, he wished to bring before the notice of the Committee a matter which was unique in county electioneering. They had heard a great deal about the expense of county contests; and he would, in this regard, tell the Committee what had occurred during the last two elections in South Northumberland. There was an election in consequence of Lord Eslington going to the other House. There had not been an election for a very long time, and, consequently, both Parties made up their minds to have a great fight over the seat. No less than £8,000 was spent on each side, and the result of the election was a tie. At the next election, in 1880, there was great enthusiasm about the fight; but there was a great difficulty as to the means of carrying it on. About £2,600, however, was subscribed and put into the bank; they determined to have only one agent; they did not employ any conveyances, and they returned their man at the head of the poll. When the accounts came to be made up, the solicitor who had charge of the financial arrangements had the pleasure of returning to the subscribers 50 per cent of their subscriptions. Out of the £2,600 only £1,300 was spent.

MR. NEWDEGATE said, the very touching story they had just heard from the hon. Member for Tynemouth (Mr. T. E. Smith) was capable of a very simple explanation. The expenditure at the former election carried the candidate at the latter. Everyone who was familiar with election matters knew it was sometimes necessary to invest a large sum on one election in view of an election which was to follow. People were not so ungrateful as it was supposed. There was one class of electors who would be largely disfranchised by this provision—namely, men who held small properties, but who did not live in the county. Hon. Gentlemen opposite were constantly declaiming in favour of a division of property; and he would point out that as soon as property was divided amongst persons not blessed with other means, and who, in all probability, would have to earn their living in the towns, they would be practically disfranchised. He admitted that wealthy men who bought small freeholds were able to convey themselves to the polling places; but poor men who acquired small properties in the counties, very often their birthplace, who, he would venture to say, would be as valuable and independent a part of the constituency as any others, would be disfranchised by this Amendment.

MR. H. H. FOWLER said, he was in this unfortunate position—that he cared a great deal for the boroughs and little for the counties. The Amendment had received support mainly from considerations drawn from the counties. With regard to the position of the boroughs, he did not think the Committee had fully considered the grievance under which they laboured, and to which he wished to draw the attention of the Government, for the purpose, if possible, of getting it remedied. The grievance of the boroughs was this—that it was not easy to poll the men under the existing law without means of conveyance—that they could not, between 8 and 9 in the morning, and 1 and 2 in the afternoon, walk from the places where they were working to the poll. It was said that they were going to extend the hours of polling; but, whatever might be the intention of the Government in that respect, that was not yet the law; and he was sorry to say that there was no provision in the Bill for increasing the number of polling places in boroughs—there was for counties, but not for boroughs. He presumed he should be defeated on this question; but if he were, he should certainly submit an Amendment in favour of providing accommodation in boroughs for additional places of polling. No one had contended that this employment of conveyances was a means of corruption. There might be places like Scarborough, for instance, and other seaside and pleasure resorts, where the employment of conveyances might be made a means of corruption, because, in these places, there were a large number of people who attached themselves to the business of hiring out vehicles; but it would be easy to cope with that difficulty, by prohibiting the person who hired out his conveyances exercising his vote. It would be fair and just to both Parties if, whilst they were preventing the hire of cabs and carriages in order to save their own pockets, they, at the same time, prevented wealthy persons from using their own or their neighbours' carriages. If they were going to save themselves expense in this matter of hiring conveyances, they should be equally fair to the men who had not the long pockets which they possessed, and who might be able to pay something for the hire of conveyances, though he could not command the use of private carriages. If they were going to prohibit the hire of carriages, then, in justice, they should prohibit also the lending of carriages. He contended that for hon. Members to enact, for the purpose of saving their own pockets, that carriages should not be hired, and to decline to make a law against using private conveyances, they were making one law for the rich, and another for the poor. Perhaps it would meet the views of the noble Lord the Member for Middlesex (Lord George Hamilton) if he withdrew his Amendment in order to enable him (Lord George Hamilton) to bring his proposal forward free from any embarrassment.

Amendment, by leave, *withdrawn.*

LORD GEORGE HAMILTON, said, his Amendment was to insert in line 20, page 3, after the word "poll," the words "in a borough." He had already stated his views, and it would be, therefore, unnecessary to go into the subject again. He was aware that the conveyance of voters had been the means of extortion, and that, in consequence having to hire vehicles, candidates had been put to great expense. Should the Government favourably entertain this Amendment, he did not see any objection to putting some limit to the expenditure that might be incurred for the conveyance of voters into the Bill. The expenses might be proportioned to the number of voters in the county; and, on looking at the Schedule, his impression was that a very slight addition to the amount already allowed in counties would be sufficient to cover all the necessary expense of the conveyance of that small number of voters who would be unable to make their own way to the poll. He hoped the Attorney General would understand that if his Amendment were adopted, he did not believe it would add materially to the expenditure of county elections, and that, by a little alteration of the Schedule, they could make the amount a small one. He quite admitted that the present expenditure was extravagant, as it led to everyone expecting to be taken to the poll, and refusing to walk.

Amendment proposed, in page 3, line 20, after the word "poll," to insert the words "in a borough."—(*Lord George Hamilton.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the noble Lord was good enough to say that he would not repeat his argument; and, as he had kept his word, he (the Attorney General) would follow his example in the matter. He had stated his objections to the proposal in his observations in regard to the last Amendment. Therefore, he would not repeat his remarks. The noble Lord's Amendment would leave the expenditure in counties as it stood at the present moment—that was to say, it would leave the expenditure on conveyances unchecked. To that he (the Attorney General) had already stated his objection.

SIR TREVOR LAWRENCE said, that the Metropolitan constituencies, such as he represented, which were partly borough and partly county constituencies, had not been properly considered in this matter. In the constituency he represented there were a large number of out-voters. One gentleman had written to him from Toulouse to the effect that he should be glad to come to record his vote, if a first-class return ticket were sent out to him. In many constituencies there were people who were anxious to record their votes, but whose position was not such as to enable them to pay any considerable sum in railway fares. As to what had been said against the Amendment by the hon. Member for Tynemouth (Mr. T. E. Smith), he could not conceive any stronger argument for leaving the law as it stood at the present moment. It had been pointed out that it would be impossible to carry out elections without expenditure, and the arguments had gone against the course advocated. Those voters who, in order to record their votes, would have to travel a considerable distance should be supplied with some means for doing so; otherwise they would practically be disfranchised. It appeared to him that this clause would have the effect of disfranchising them.

SIR GABRIEL GOLDNEY said, that, if he understood the purport of the noble Lord's (Lord George Hamilton's) Amendment correctly, it was this—that in regard to county elections, eliminating from it the conveyance of electors at borough elections, the law should stand as at present. He thought that the expressions they had heard coming from persons in high position—persons, in fact, in the Government—at public meetings that there should be payment of Members for carrying out their duties to the State, justified the Committee in contending that the Amendment could not be reasonably refused—that if Members were paid for the trouble and inconvenience to which they put themselves, the expense, at least, of electors coming to the poll should be defrayed for them. There were a great number of people in this country who had small freeholds in the counties, and whose business lay in manufacturing centres in which they were obliged to spend their time. As had been pointed out, it was not right, especially whilst advocating payment to hon. Members, that they should put these small freehold owners to the double expense of losing a day's wages, and of paying the cost of conveyance to the poll. These expenses were expenses which should be entirely defrayed by the election agents. He was acquainted with a district in which many of the electors who possessed small freeholds had to attend to business in industrial centres, and he had always considered that this was a class who ought to be encouraged to come to the poll. It was very unfair to these people to say—"It is a corrupt practice to pay your expense to the polling place." It was in the highest degree unfair to say that they must themselves pay the cost of recording their votes, when they could not possibly be, for the time being, in the place where their votes had to be recorded.

VISCOUNT FOLKESTONE said, that, before they went to a Division upon this matter, he wished to point out that to his mind they were somewhat in a difficulty on this question. First of all, if they allowed payment for the conveyance of electors to go to the poll, it would be impossible for them to keep within the bounds that were permitted by the fourth part of the 1st Schedule, referring to the maximum scale. The Schedule said that the expenses, exclusive of personal expenses and sums paid to the Returning Officer for his charges, should not exceed, in the whole, £350 where the number of electors on the Register did not exceed 2,000, and should not exceed £380 — an additional £30 for every 1,000 electors above 2,000—where the number of electors on the register exceeded 2,000. In counties these expenses were not to be more than £500 where the number of electors did not exceed 2,000, and where the number exceeded 2,000 they were not to be more than £540—an additional £40 for every 1,000 above 2,000. It did not seem to him very plain how, under these circumstances, a candidate at a borough election would be able to spend a very large sum for the conveyance of voters to the poll. It was suggested that the payment for conveyances should be allowed, and that, if it were not, candidates and their friends should not be allowed to use private carriages for this purpose. The hon. Member for Burnley (Mr. Rylands) had suggested that he (Viscount Folkestone) would be able to get an unlimited number of carriages in his constituency. He did not agree with the hon. Member; he should not be able to do that. He should not be able to buy them, for if he were an honest man—and he did not think that he had even yet been converted by Parliamentary contests into a dishonest man—he should consider himself rather a blackguard if he had returned his expenses as below the maximum, and had bought a number of carriages for the purpose of conveying the electors to the poll. If they were not to hire carriages or to have them lent by their friends, the result of that—in his constituency at any rate—would be that hardly any voters whatever would go to the poll. His was a large and scattered constituency, as hon. Members knew, part of it being Salisbury Plain, upon which the inhabitants were not very thickly located. Hon. Members on the other side of the House had been talking a great deal about the expenditure, as well as the extension of household suffrage to the counties; and he wished to put before the Committee these two points—that either they ought to be allowed to hire conveyances to take voters to the poll—which would defeat the object of the Bill, which was the lessening of the expense of elections—or else, in a short time, they would be extending household suffrage to the counties, and giving the greater part of the newly-appointed constituencies votes which they would not be able to exercise. So far as he was concerned, he should save himself the trouble of voting by walking out of the House, instead of remaining to take part in the Division.

Viscount GALWAY said, he hoped that the Amendment standing in the name of the hon. Member for Stroud (Mr. Stanton), or in his own name, would be adopted in order to enable out-voters to send in voting papers. He would point out that though they took voters to the poll in hired carriages they did not always know how they were going to vote. In a neighbouring constituency to his, the minister of a Dissenting chapel at a recent election had begged all his parishioners to ride in the Tory carriages to the poll and then vote for the Liberals.

Question put.

The Committee *divided:*—Ayes 105; Noes 200: Majority 95.—(Div. List, No. 150.)

Mr. J. LOWTHER said, he had an Amendment to submit to the Committee which he trusted would be accepted. He proposed to leave out the words "or railway fares," and he believed hon. Members would see that in making that proposal he was raising a question totally distinct from that which had occupied their attention for the last two hours. The Committee had been engaged in considering as to how far it was practicable to prevent any candidate from carrying a man to the poll in his own vehicle, or how far it was desirable to prevent him hiring a conveyance for the purpose in his own immediate neighbourhood. That was a question which he did not desire in any shape or form to re-open. He had voted with his noble Friend on the last occasion because he agreed with him in principle, although he was ready to admit that with regard to the question raised there was a good deal to be said on both sides. The Committee would be aware that there was a large number of voters having qualifications in the counties which did not involve residence, and who were, for the most part, owing to circumstances, resident outside the constituency. He asked whether they were to embark under a Liberal Government in a policy of disqualification and disfranchisement with regard to these voters? He was quite aware that many hon. Gentlemen opposite approached this question with considerable equanimity, because they were of opinion that the Register was far too full of the names of persons who represented the interests of property and proprietary rights in this country. He knew that many of those who in the loudest tones proclaimed their principles as to a peasant proprietary, and desired to carve out the land of the Kingdom into the smallest fragments, at the same time took care to prevent that property, when so carved out, possessing any weight in regard to elections to that House. The noble Viscount the Member for North Nottinghamshire (Viscount Galway) had an Amendment on the Paper, which would, no doubt, to a considerable extent, remedy the grievance to which he had called the attention of the Committee; and he must admit that if the Government would undertake to accept that Amendment, he should not put the Committee to the trouble of dividing upon his own proposal. But he thought the Committee would clearly perceive that they must do one of two things—the Government must, so to speak, allow the mountain to be brought to Mahomet, or Mahomet to be brought to the mountain. He asked the Attorney General to say which of these things he was prepared to do. Was he willing to adopt either of the Amendments referred to, or expose himself to the charge of having disfranchised a class of men who possessed the most ancient franchise in the Realm?

Amendment proposed, in page 3, line 22, to leave out "or railway fares."—(*Mr. J. Lowther.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought the Committee would see that the proposal of the right hon. Gentleman could not be seriously entertained after the decision which the Committee had just arrived at. In his opinion, of all the objectionable payments at elections, the payment of railway fares was the most objectionable.

MR. GREGORY said, he thought the proposal of the right hon. Gentleman was, to some extent, open to the objection taken to it by the Attorney General, although, at the same time, he was willing to admit that it raised a question of considerable importance. They would shortly have to consider the question as to how those voters who lived at a distance from the polling stations were to record their votes. This subject would be worthy of the consideration of the Committee, because the persons interested in the question were generally of the best class of the constituency; but he did not think that the question should be raised on the present clause, although he saw upon the Paper several Amendments proposing to deal with it. When the subject was handled it would require great consideration and elaboration of detail in order to arrive at a satisfactory result. His object in rising was simply to suggest that the question should be reserved for consideration at the proper time, when he trusted they might be able to provide fairly for the necessities of the case.

MR. RAIKES said, he did not altogether agree with what had fallen from the hon. Member for East Sussex (Mr. Gregory) with regard to this question; because, as far as out-voters were concerned, he was bound to say that they were deserving of a certain amount of consideration at the hands of the House. They had before them a proposal of the Government, which was practically one of disfranchisement of out-voters. He was aware that the Attorney General was very much in favour of abolishing out-voters, and that he wished to see residential voters only recording their votes at elections. Therefore, he asked whether the clause was aimed at that result? because, if that were stated to be its object, they would know the position in which they stood. If that were not the object of the clause, he was bound to say that the subject was deserving of more consideration than it had received. They knew well that any voter living at a distance from the constituency who was not a man of means would not, if the clause were passed in its present form, have an opportunity of recording his vote; its effect would be entirely to shut out the poor man so situated. He thought the Government ought to meet that contention with something more effective by way of reply than the arguments they had addressed to the Committee; and it would certainly be necessary to consider further how it was possible to preserve to out-voters the franchise with which Parliament had entrusted them.

MR. JAMES HOWARD maintained that it was not the duty of the candidate to get electors to the poll. Whether resident or out-voters, the expense should fall upon the electors. But he took it that one of the main objects of the Bill was that the representation of great county constituencies should no longer be the heritage of rich men; and he should, therefore, support the proposal of the Government.

MR. J. LOWTHER said, as the point might, perhaps, be dealt with by the Committee in a more impartial spirit on the Amendment of his noble Friend the Member for North Nottinghamshire (Viscount Galway), he would ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

DR. FARQUHARSON, in moving, to insert in page 3, line 22, after "otherwise," the following Proviso:—

"Provided always, That in constituencies where the electors are widely scattered, and where it has been found impracticable or inexpedient to establish so many polling districts as to bring a polling station within reasonable distance of every elector, it shall be the duty of the returning officer, at his discretion, to provide conveyance for the use of electors whose residences are three miles or upwards from the nearest polling station, and to include the expense thereof among his other charges recoverable equally from both candidates,"

said, the panacea of the Government for the relief of voters living at a distance from the polling places was to increase the number of polling stations in districts where a certain number of voters could be got together; but there were many parts of Scotland where the voters were so widely separated that it would be impracticable to establish polling places sufficiently near to enable them to record their votes. In no part of the Kingdom had the Bill been received with more enthusiasm than in Scotland; but it was feared that, by this clause, many people would be disfranchised. There were some parts where voters travelled 10 or 15 miles to the polling stations. To remedy that difficulty there ought to be more polling stations; but the drawback to that was the expense; and, secondly, there would be great inconvenience in regard to getting all the ballot boxes to the central station in sufficient time. In such cases as these, he thought some little driving might be allowed, because the expenses would then be very much less than if the stations were increased. The arrangement might be carried out by the Returning Officer, and the expenses should be equally divided between the candidates. A voter might be old, or poor, or unable to walk 15 miles, or the road might be bad, or the weather rough, or the conditions of work might be such that he might be unable to leave his work for a whole day. Under these circumstances, many worthy electors would be disfranchised by the operation of this clause. It must be remembered that they were legislating for the future. The franchise was being extended; and he, therefore, hoped the Attorney General would be able to give way in this respect, and to propose some machinery—perhaps better than he had suggested—by which these people might drive to the poll.

Amendment proposed,

In page 3, line 22, after "otherwise," to insert—"Provided always, That in constituencies where the electors are widely scattered, and where it has been found impracticable or inexpedient to establish so many polling districts as to bring a polling station within reasonable distance of every elector, it shall be the duty of the Returning Officer, at his discretion, to provide conveyance for the use of electors whose residences are three miles or upwards from the nearest polling station, and to include the expense thereof among his other charges recoverable equally from both candidates."—(*Dr. Farquharson.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he should be very glad to do something to meet this case if he could; but whenever hon. Members found themselves faced with a difficulty they said—"Oh, the Attorney General will provide the machinery." With regard to this proposal that the Returning Officer should, at his discretion, provide certain carriages, in the first place the Returning Officers were now hard-worked. They complained of the great difficulty they had in making all the required arrangements; and he was afraid that under this Bill more work would be required from them. Then he thought this power of discretion might, in some cases, be very much abused. Returning Officers were but human; and, in some instances, they might not be so zealous in finding carriages for one side as for the other. But, if that were not so, they might have great difficulty in finding carriages; and yet, if they did not, they would be liable to penalties for a misdemeanour. Then, where were the carriages to be sent, and how were the Returning Officers to know who were voters? The expense was to be equally recoverable from both candidates; but one might have no out-voters, and yet he would have to pay for the cost of conveying his opponent's electors. He had done—he would not say enough, but what he could in this matter. By Clause 44, he proposed to increase the number of polling districts, and to reduce the distance from every voter from four to three miles. Under the 45th section, provision was made for voters in the Highlands, where men could not possibly walk the distance. He had put himself in communication with many Members for Scotch counties, to which this question was more important than to England, and he did not find them in favour of expenditure in the direction suggested by the hon. Member; but if the hon. Member would raise the question on Clause 44, he would communicate again with hon. Members; and if a solution of the difficulty could be found, he should be very happy to help them to find one.

MR. CRAIG-SELLAR said, he agreed with the hon. and learned Attorney General as to the difficulty of putting this extra duty on the Returning Officers; but he believed those who knew the North of Scotland would hope that some provision would be made by which scattered voters might be brought to the polling places. If that were not done, he was certain that in several Scotch counties 20 or even 50 per cent of the voters would be practically disfranchised. In the county of Argyll there were 14 polling stations—one to 150 electors. In one of these polling districts—the one in which he voted—there were 219 voters; and it was no exaggeration to say that of those, there were not 15 who lived within five miles of the polling station. He himself lived 10 miles away, and he had to go eight of those 10 miles by sea, and then drive the rest of the way. But, as the Attorney General had said, Clause 45 met many of the difficulties connected with the Highland counties. It did not, however, meet them all; and, unless something further was done, many electors would be disqualified and disfranchised. He had an Amendment to propose to that clause, which he hoped the Committee would accept; and he believed he should be able to satisfy them that some such provision was absolutely necessary. He hoped his hon. Friend would not press this Amendment now; but would move it or a similar one upon Clause 45, or else support the Amendment he (Mr. Craig-Sellar) should propose; but if the hon. Member went to a Division he would support him.

MR. DALRYMPLE said, he was glad the hon. Member (Mr. Craig-Sellar) had drawn attention to these remote districts where there were but sparse populations; for he feared the Bill would prove a disfranchising measure with regard to them. It was all very well to say that voters might be conveyed to the poll for corrupt purposes; but, unless there was some means of taking them to the poll, they would not be able to vote at all, and would be disfranchised. Clause 44 provided that there should be a polling station within three miles of every voter; but in some parts it might be impossible, even with a reduced franchise, to get together 100 voters, and, consequently, their case would not be met by anything in the Bill. He did not know whether the Government would attempt anything to meet the case of the scattered districts; but he thought there could be no greater evil than that people having votes should not be able to use them, through not having the means of going 10 or 15 miles to record them. He hoped, when Clause 44 was reached, something would be done to meet these cases. Additional polling stations would meet the difficulty to some extent; but if they were going to increase the polling stations indefinitely, how were the expenses to be reduced?

MR. DICK-PEDDIE said, that, although he was not disposed to support the Amendment, he must support his hon. Friend in pointing out the necessity of making provision to meet the case of the Highland counties of Scotland. English Members did not generally realize how widely scattered population in these counties was. He found that in England there were about 16 county voters to the square mile; but in Scotland there were only three, taking the average of the whole country. In Argyllshire there was only one voter to the square mile; in Ross and Cromarty, somewhat more than half a voter to the square mile; in Inverness-shire, somewhat less than a-half; while in Sutherlandshire there was little more than one-fifth of a voter to the square mile. The distance of many voters from the polling stations was thus very great. In Inverness-shire, where he had himself a vote, there were only eight polling stations, having each an average of nearly 500 square miles connected with it. If the Bill passed in its present form, one-half, at least, of the voters in these Highland counties would be disfranchised. That was a state of matters for which some provision was required; but he thought the proposal of his hon. Friend contained a remedy almost worse than the evil it was designed to cure, so far as the candidates were concerned, as it would entail on them enormous expense. He hoped the Attorney General would consider whether some means might not be devised to meet the exceptional circumstances of these Highland counties.

MR. STUART-WORTLEY said, he thought this was not a purely Scotch question. In the Northern parts of Yorkshire, there were instances in which it still took two days to get to Quarter Sessions; but the planting of polling places in remote villages, where only sheep were to be seen, would not meet the difficulty. The fatal objection to the Amendment was that the Returning Officer was to provide the carriages, and the candidates were to pay; but where one man found the carriage, and another man paid, there was not great economy. It would facilitate the discussion very much, and would have done so previously, if the Government would announce now whether they would give any support to a proposal of the nature suggested by the noble Lord the Member for North Nottinghamshire (Viscount Galway).

Mr. GORST said, he hoped the Attorney General would seriously consider the contention of the hon. Member opposite (Dr. Farquharson); for that was the direction in which some solution of the matter must be sought. There was an example of his proposal in the Irish system of peripatetic polling for the election of Guardians, by which the policemen took voting papers round to the voters' houses; but he did not suppose that system would be generally introduced into Parliamentary elections. No doubt, the proper course was to open polling stations, and make those who wished to vote go to them; but, in districts where there was a sparse population, it was impossible to provide sufficient polling stations to enable every elector to vote, and the proper course was to take the station to the voter in those cases. If the Government would consider that proposal a great many of the present difficulties would be met.

Mr. LEWIS said, he hoped the Attorney General would not break down the principle of not allowing, under any circumstances, travelling expenses to voters, if he meant to adopt that principle in the main. This was only a question of degree. There were many places in Cornwall, Northumberland, and Yorkshire, where the same difficulty existed as in Scotland. He voted in the last Division with the minority, and his view was that the Committee had gone wrong in its decision; but if the rule they had laid down was to be followed at all, it should be followed throughout. As there were questions of degree in Cornwall or Argyll, Inverness or Yorkshire, if they laid down a principle they must stick to it, and not make fish of the Scotch Liberal Members and flesh of the English county Members. He thought that a blot on the Bill was the inconsistency of the 45th clause, with the part now under consideration. Whether there was to be a movable polling-booth, and an ambulance corps going about to pick up the dead and wounded at an election as well as to take votes, he did not know; but if the Committee seriously intended to assist voters in going to the poll, let them be consistent, and not have one principle in one set of constituencies and a different principle in another set. He could not support the Amendment.

Sir GABRIEL GOLDNEY said, he thought there was no desire to disfranchise anybody; and if the Government would not allow any expenses for bringing voters to the poll, perhaps they would consider a method which he thought would meet the difficulty. At Swindon there were 7,000 or 8,000 men, of whom only half were residents. They could not afford to lose a day's work in order to vote; and if they were paid a day's wages in order that they might vote, that would come under this Bill. But there was no advantage in electors voting at the precise place where they had their qualification; and he would suggest that if a few days before an election a voter wrote to the Returning Officer that he was anxious to vote, the Officer might send a notice to that effect to the officer for the district in which the man was engaged, and the elector could then vote where he was—in the same county. There would be no difficulty in that, and no personation. He believed that method would provide a solution for the difficulty now discussed.

Dr. FARQUHARSON said, he would ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Sir HERBERT MAXWELL said, the Amendment he had on the Paper differed, in some respects, from that of the hon. Member for Aberdeen (Dr. Farquharson); and he thought the Attorney General had hit the blot on the Amendment of the hon. Member when he pointed out that the payment of expenses for conveyances was left to the discretion of the Returning Officer. He thought that would be a most undesirable power to put in the hands of any public official, and in his Amendment that provision was altered. He proposed to add, after "otherwise"—

"Provided always, That it shall be the duty of the Returning Officer to authorize the conveyance of such electors as reside more than three miles from any polling station, and within the constituency, if they have signed and delivered a request for such conveyance, and include the expense thereof in those to be borne by the candidates equally.

He thought that Proviso would meet several of the Attorney General's objections to the Amendment of the hon. Member for West Aberdeenshire (Dr. Farquharson). In the first place, it was only made incumbent on the Returning Officer to authorize the conveyance of voters resident within the constituency, but more than three miles from the polling place. Hon. Members acquainted with the greater part of Scotland must be aware that, short of peripatetic polling, such as had been suggested, it was impossible to give voters the means of voting, unless they were conveyed to the polling places; and if they were deprived of the franchise, that would mean the disfranchisement of the most thoughtful and most intelligent part of the constituencies. Representation would be thrown entirely into the hands of those who resided in small villages and populous places; and by this enactment a great injustice would be done to the people of Scotland. He hoped the Attorney General would see his way, if not upon this clause, at any rate upon Clause 44, to make some provision for these voters, who otherwise would be disfranchised.

MR. MONK rose to Order. The hon. Member for Stroud (Mr. Stanton) and the noble Lord the Member for North Nottinghamshire (Viscount Galway) had Amendments on the Paper which came in after the word "otherwise." Was it competent for any hon. Member who had not an Amendment on the Paper to propose one between the Amendments he had referred to?

THE CHAIRMAN: I have taken note of the Amendment of the hon. Baronet; and as it relates to exactly the same subject as that of the hon. Member for West Aberdeenshire (Dr. Farquharson) it seems to me that it can very properly be put now.

Amendment proposed,

In page 3, line 22, after "otherwise," insert—"Provided always, That it shall be the duty of the Returning Officer to authorize the conveyance of such electors who reside more than three miles from any polling station, and within the constituency, and who shall sign and deliver a request for such conveyance, and to include the expenses thereof amongst the other charges recoverable in equal proportion from the candidates."—(*Sir Herbert Maxwell.*)

Question proposed, "That those words be there inserted."

SIR H. DRUMMOND WOLFF appealed to the Government to report Progress at this point. The noble Marquess the Secretary of State for War (the Marquess of Hartington) had promised to make a statement to-night in regard to the Contagious Diseases Bill. Surely they ought not to be asked to listen to a statement of such an important character at a very late hour of the night.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he understood that the statement with regard to the Contagious Diseases Bill would not be made that night. He would not ask the Committee to sit unduly late; but he trusted they would dispose of this question before they separated. The Amendment of the hon. Baronet (Sir Herbert Maxwell) was, of course, substantially similar to the one which had just been withdrawn. The only difference was that it imposed upon the elector the duty of applying to the Returning Officer for a carriage to be sent to him on the day of the poll. His experience had led him to believe that it would be impossible to carry out a proposition in accordance with which any elector in any sparse district might write to the Returning Officer for a conveyance to take him to the poll. In the county of Inverness-shire many electors lived 30 miles from the nearest polling station; so that, if this Amendment were accepted, Scotch Members particularly would see that the Returning Officer would be bound to send many conveyances enormous distances.

SIR HERBERT MAXWELL: The words are "to authorize the conveyance of such electors."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that was the same thing. Someone, at the request of the elector, would have to find the carriage. There was no doubt that, if the Amendment were accepted, every elector in a sparse district would want a conveyance sent for him. He appealed to the hon. Baronet (Sir Herbert Maxwell) not to press his Amendment, and thus prolong the discussion upon the question. He had already said, in reply to the hon.

Member for West Aberdeenshire (Dr. Farquharson), that if, in conference with hon. Gentlemen, he could find a solution of the matter, he would gladly lay it before the Committee on a subsequent clause.

Sir HERBERT MAXWELL said, the hon. and learned Gentleman the Attorney General was utterly ignorant of the mode in which Scotch elections were conducted. He despaired of convincing the hon. and learned Gentleman; and he, therefore, must ask leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. LEWIS said, that before they proceeded to any new matter he begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Lewis.*)

The ATTORNEY GENERAL (Sir Henry James) said, of course, if it was the wish of the Committee to report Progress, he would offer no opposition; but he hoped that if they reported at this hour it would not be taken as a precedent.

Sir R. ASSHETON CROSS said, he thought it would be advisable to settle this particular question to-night, if it were possible to do so.

Viscount GALWAY said, he was quite prepared to proceed with his Amendment; but he would prefer to postpone it until the next Sitting.

The ATTORNEY GENERAL (Sir Henry James) said, he would consent to report Progress.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 26th June, 1883.

MINUTES.]—Public Bills—*First Reading*—Supreme Court of Judicature (Funds, &c.) * (130).

Second Reading—Public Health (Scotland) Provisional Order (Fraserburgh Waterworks) * (63); Inclosure Provisional Order (Hildersham) * (115); Land Drainage Provisional Order (No. 2) * (116); Local Government Provisional Order (No. 10) * (117); Metropolis Improvement Provisional Order * (118); Metropolis Improvement Provisional Order (No. 2) * (119); Metropolis Improvement Provisional Order (No. 3) * (120); Metropolis Improvement Provisional Order (No. 4) * (121); Local Government Provisional Orders (No. 6) * (122); Local Government Provisional Orders (No. 8) * (123); Local Government Provisional Orders (No. 9) * (125) * Drainage (Ireland) Provisional Orders (No. 2) * (124).

Report—Stolen Goods * (105); Sea Fisheries * (127).

PARLIAMENT—PRIVATE BILLS—STANDING ORDER, No. 128.

CONSIDERATION.

Standing Order No. 128, which is as follows:—

(No interest out of capital to be paid on calls under Railway Bills.)

128. A clause shall be inserted in every Railway Bill, prohibiting the payment of any interest or dividend out of any capital which they have been or may be authorised to raise, either by means of calls, or of any power of borrowing, to any shareholder on the amount of the calls made in respect of the shares held by him, except such interest on money advanced by any shareholder beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act, 1845, or the Companies Clauses Consolidation (Scotland) Act, 1845, as the case may be:

Considered, in order to its being amended by leaving out in line 2 ("payment of") and inserting ("Company from paying"), and by adding at the end of the Order ("and except such interest (if any) as the Committee on the Bill may, according to the circumstances of the case, think fit to allow, subject always to the following conditions;

"(1.) That the rate of interest allowed by the Committee do not in any case exceed four per centum per annum;

"(2.) That interest be not allowed to begin until the Railway Company have obtained a certificate of the Board of Trade to the effect that two-thirds at least of the share capital authorised by the Bill, in respect whereof interest may be paid, have been actually issued and accepted, and are held by shareholders, who, or whose executors, administrators, successors, or assigns, are legally liable for the same;

"(3.) That interest be allowed to be paid only until the expiration of the time allowed by the Bill for the completion of the railway, or until the half-yearly dividend day next after the opening of the railway for public traffic, whichever shall first happen, or for such less period as the Committee think fit;

> "(4.) That interest do not accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear;
>
> "(5.) That the aggregate amount to be so paid for interest be estimated and stated in the Bill, and that a specific amount of the capital be appropriated by the Bill for that purpose, and that no capital in excess of that amount be so applied, and that such appropriated capital be not deemed capital within Standing Order 112;
>
> "(6.) That if any part of the capital specifically appropriated for the payment of interest shall not be required and applied for that purpose, the same may be applied for the general purposes of the Company to which capital is properly applicable;
>
> "(7.) That notice of the Company having power so to pay interest be given in every prospectus, advertisement, or other document of the Company, and of any promoter, director, or agent of the Company inviting subscriptions for shares, and in every certificate of shares, and that every such prospectus, advertisement, or other document do distinguish and state in clear terms the amount of capital specifically appropriated for the payment of interest;
>
> "(8.) That the half-yearly accounts of the Company do show the amount on which, and the rate at which, interest has been paid,

and the Company shall be authorised by the Bill to pay interest accordingly, but not further or otherwise.

"There shall be inserted in every Railway Bill provisions making liable to penalties, recoverable summarily, any director or officer or agent of the Company who shall, directly or indirectly, pay or procure to be paid any interest or dividend contrary to the provisions of the Bill, and making illegal and void any contract entered into by the Company, or the promoters or directors or agents thereof, or any of them, under which payment of any interest or dividend shall be, directly or indirectly, provided for contrary to the provisions of the Bill.

"In the case of Bills granting an extended time for the completion of a railway, the conditions fixed by any previous Act of the Company with respect to payment of interest on capital authorized by such Act, shall under no circumstances be enlarged. In any such Bill payment of interest shall be allowed only in respect of additional ordinary capital authorised by the Bill, and the period allowed for such payment shall in no case be extended beyond the period for completion as enlarged by the Bill.

"In any case in which payment of interest is allowed under the provisions of this Order, the Committee on the Bill shall take care that the period allowed for the completion of the railway shall not be longer than the length of the line and the character of the works may render necessary.")

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he wished to ask the careful attention of their Lordships to the subject of altering the Standing Order relating to the payment of interest out of capital. The terms of the proposal were identical with those of the Order already passed in the House of Commons; and he wished most distinctly that their Lordships should determine the matter according to their own judgment, and let him know what their opinion was. He would not have brought the question before their Lordships at that period of the Session were it not for the Order that had been adopted by the House of Commons. The subject was fully debated in the House of Commons, and on a Division the proposed alteration of the Order was carried by 131 to 123. The majority was, therefore, a narrow one, being only 8 in number; but then the whole question was raised, and, as the question was one of great importance, it was desirable that the judgment of the House of Lords should be taken upon it, notwithstanding the late period of the Session. Some slight alterations had been made in the Order as it came from the House of Commons. As their Lordships were aware, the original Standing Order provided that no interest or dividend out of capital should be paid on calls under Railway Bills, except such interest on money advanced by any shareholder beyond the amount of the calls actually made as was in conformity with the Companies Clauses Consolidation Act, 1845, or the Companies Clauses Consolidation (Scotland) Act, 1845. That Order, as it stood at present, was made in 1848, and had since practically governed the action of that House with regard to Railway Bills. At the same time, in one or two instances, payment of interest out of capital had been allowed. There was no doubt that, at the present moment, there were a number of Railway Companies which desired to have that power, and those engaged in the management of the Business of the House of Commons reported in favour of the change. Certain conditions and restrictions, however, were proposed, and the amended Standing Order, which also excepted such interest as the Committee on the Bill might think fit to allow, laid down several conditions to which the exceptions should be subjected. In the first place, the interest to be allowed was not to be more than 4 per cent. That that restriction was necessary was shown by the fact that there were several instances in which interest had, properly or improperly been paid at a higher rate than was allowed by this Order. The next portion of the Order was that interest be not allowed to begin until the Railway Company had obtained a certificate of the Board of Trade to the effect that two-thirds, at least, of the share capital authorized by the Bill, in respect whereof interest might be paid, had been actually issued and accepted. Another regulation was that interest be allowed to be paid only until the expiration of the time allowed by the Bill for the completion of the railway, or until the half-yearly dividend day next after the opening of the railway for public traffic, whichever should first happen, or for such less period as the Committee thought fit. That was also a very important condition, intended to secure that the scheme was *bonâ fide*. It was also provided that interest should not accrue in favour of any shareholder for any time during which his calls were in arrear. That was also a very proper arrangement. The next regulation was that the aggregate amount to be so paid for interest be estimated and stated in the Bill, and that a specific amount of the capital be appropriated by the Bill for that purpose, and that no capital in excess of that amount be so applied, and that such appropriated capital be not deemed capital within Standing Order 112. It was also provided that, if any part of the capital specifically appropriated for the payment of interest should not be required and applied for that purpose, the same might be applied for the general purposes of the Company; that notice of the Company having power so to pay interest be given in every prospectus, advertisement, or other document of the Company, and of any promoter, director, or agent of the Company, inviting subscriptions for shares, and in every certificate of shares, and that every such prospectus, advertisement, or other document, should distinguish and state in clear terms the amount of capital specifically appropriated for the payment of interest; that the half-yearly accounts of the Company should show the amount on which, and the rate at which, interest had been paid, and the Company be authorized by the Bill to pay interest accordingly, but not further or otherwise. He was extremely anxious that their Lordships should give a fair and impartial consideration to these proposals, and either assent to them or reject them. It was the decision of the House of Commons which induced him to bring the matter forward; and, as he had already stated, if it had not been so decided by the House of Commons, he would not have troubled their Lordships with the subject at that period of the Session. It was a grave question for the consideration of their Lordships' House whether they adopted the proposals or not. He hoped noble Lords would consider what was urged on both sides, and would decide according to what they thought just and best. The Amendment of his noble Friend (Lord Auckland) was to the effect that it was not desirable to alter Standing Order 128, or to substitute for it a new Standing Order, until a Bill had been passed to amend the Companies Clauses Consolidation Act, 1845, and the Companies Clauses Consolidation (Scotland) Act, 1845, so far as these Acts related to the payment of interest out of capital by Railway or other Companies. That was altogether a matter for their Lordships to consider; and what he desired was, to have their Lordships' opinion upon this Order, which had passed the House of Commons in a very well attended House. Whatever their Lordships' opinions might be, and whether they accepted or rejected it, it was necessary that they should come to some decision at once, as it was inconvenient to have any uncertainty as to what the Standing Orders would be.

Moved, to leave out the words ("payment of") and insert ("Company from paying.")—(*The Chairman of Committees.*)

LORD AUCKLAND, in rising to move the following Amendment, of which he had given Notice:—

> "That it is not desirable to alter Standing Order 128, or to substitute for Standing Order 128 a new Standing Order, until a Bill has been passed to amend the Companies Clauses Consolidation Act, 1845, and the Companies Clauses Consolidation (Scotland) Act, 1845, so far as these Acts relate to the payment of interest out of capital by railway or other companies,"

said, he would venture to remind their Lordships that, for some 35 years, the present Standing Order had governed the railway legislation of the country, and good results had been obtained, for it put an end to a system of reckless speculation which had formerly done so much harm, and, at one time, bade fair to ruin the country. Hundreds of millions of money, in the shape of capital, had been expended by Railway Companies under the regulations in force, and which had been supported by the Report of a Select Committee; and, therefore, he considered that in making such a radical alteration as was now proposed, if it were really necessary to do so, it was but fair that it should be done, not by a Standing Order, but as a Committee had already recommended, by a Public Bill, after full discussion. He hoped that his Amendment would receive the support of the House.

Moved, "That it is not desirable to alter Standing Order 128, or to substitute for Standing Order 128 a new Standing Order, until a Bill has been passed to amend the Companies Clauses Consolidation Act, 1845, and the Companies Clauses Consolidation (Scotland) Act, 1845, so far as these Acts relate to the payment of interest out of capital by railway or other companies."—(*The Lord Auckland.*)

EARL CAIRNS said, he perfectly agreed with his noble Friend the Chairman of Committees (the Earl of Redesdale) that the question was one of the utmost importance to all who were concerned in Railway enterprize, and he regretted that it had come before the notice of the House in its present form. It was felt last year that this Standing Order would have to be reconsidered; and in March, 15 months ago, a small Select Committee of five Members of the other House was appointed to consider and take evidence on the subject. That Committee, no doubt, reported in favour of the general principle on which Parliament had hitherto acted; but held that exceptions might very well be made in particular cases, and that the alteration, if made at all, should be made by an Act of Parliament, and not by a new Standing Order. As far as the other House was concerned, there appeared to be a disposition to alter the law; and, as he understood, several new undertakings were launched during the Recess on the faith that some alterations would be made in the Standing Orders; and, that being so, he thought that this year the judgment of both Houses ought to have been taken as soon as possible. A good way of doing that would have been to appoint a Joint Committee; but nothing whatever was done, neither last Session nor the present, till the other day, when this important question was disposed of as Private Business at a Wednesday Sitting. It was much to be regretted that the subject had now to be considered at a comparatively late period of the Session. He regretted that that House should have anything to say in the matter; but, with regard to the main point, there was, no doubt, a great deal to be said on both sides of the question as to whether interest should be paid or not. The practice of allowing interest to be paid out of capital during construction was, no doubt, a wrong practice, and one very apt to mislead the unwary, who bought shares without looking much below the surface of the investment, who were captivated with the idea that they would get 4 or 5 per cent from the very outset, and were under the impression that the money came, not from capital, but from some kind of profit; but, on the other hand, the position of all the old great Railway Companies had to be taken into account. They had the power of issuing capital and obtaining money at a discount—that was, they could issue shares at £80 and let them stand for £100 stock, thus paying 4 per cent on the £100, as well as giving the proprietors £20 per share. It would, in fact, be much the same thing as issuing the stock at par, on the understanding that interest should be paid out of capital for five years at 4 per cent, seeing that, in either case, the proprietor would have paid no more than £80. Therefore, if they wanted to make a new line, all they had to do was to issue new capital at a discount for that purpose. A question had been asked as to the result that would occur if this new Standing Order were not agreed to, and which must be answered in the negative, for if new Companies could neither issue shares at a discount nor pay interest out of capital, they could not be placed on the same footing as the old Companies. It had sometimes been said, also, that if Railway Companies were allowed to pay interest out of capital, the same permission must be extended to other Companies also, including those formed for trading purposes. It seemed to him, however, that there was no very complete analogy between trading Companies and Companies formed for the purpose of constructing works. In the former case, the law simply ordered the Companies not to diminish their capital by the payment of interest; but, in the latter case, this principle did not apply in the slightest degree, for Parliament could ascertain the amount wanted for a given undertaking, and could specify the sum, if any, to be allowed for the payment of interest during construction. He mentioned these considerations to show that the question was not as simple as it had sometimes been assumed to be. He hoped that their Lordships would not do anything now which would finally, either one way or the other, settle the question; but that they would postpone the consideration of it till the beginning of the next Session, and then do it by a Joint Committee in connection with an examination of the Companies Clauses Consolidation Act, 1845, as he had suggested, in order that they might see whether there should be a new Standing Order on the matter, or that a general Bill dealing with the whole should be introduced. But they must take care not to do an injustice, and they must bear in mind that the course taken by the other House, if their Lordships simply refused to assent to it, would greatly tend to injure undertakings launched in view of the alteration of the Standing Order; and he should accordingly suggest to their Lordships that, with regard to the Railway Bills of the present Session, the alteration might be made, and the Standing Order of the other House might be acted upon, but only so far as regarded the present Session, on clear proof that the proposed lines were desirable, and could not otherwise be constructed. In order to meet the point, he would suggest an addition to one of the clauses, to the effect that in the case of the Railway Bills which had been passed that Session of 1883, such a rate of interest, if any, might be allowed as according to the circumstances could be made. By that means, all injustice would be avoided. He hoped that his suggestion would be approved by their Lordships, but upon the clear understanding that, in next Session, there should be a Joint Committee to examine the whole matter, and determine upon what course should be taken in the future. He believed that that would be the better course. He might mention one other point. Of late years several Acts had been passed authorizing trust funds to be invested in railway stock; and such provisions were very common in trust deeds and wills, but with the qualification that the investment should be in the debenture stock of Companies which had paid a dividend on their ordinary stock for a certain number of years. If the change were made, that qualification would not hold good any longer.

Lord HOUGHTON said, there could be no doubt that the question under discussion involved the safety of a very large amount of property. In any case, whatever decision might be come to, he regarded it as a remarkable testimony of the soundness of Railway finance, that the noble Earl the Chairman of Committees (the Earl of Redesdale) should consider that the time had come when, by the adoption of the provisions he had recommended, the Standing Order of 1848 might, with safety, be relaxed. The great Railway Companies would, he (Lord Houghton) believed, be perfectly ready to accept the provisional arrangement suggested by the noble and learned Earl opposite (Earl Cairns); and next Session, the House could proceed in the proper way, by passing a general Bill on the subject.

The LORD CHANCELLOR said, he considered that, in approaching this subject, the House should deal with the proposal according to its own deliberate opinion, and not attach too much importance to a Resolution passed "elsewhere" by a not considerable majority. As to the advice given to them by his noble and learned Friend (Earl Cairns), from whom he seldom or never differed —especially on subjects in which no Party feeling could be involved—without some misgiving as to whether he (the Lord Chancellor) himself might not be mistaken, it seemed to him that the reason given by his noble and learned Friend for the opinion, in which he (the Lord Chancellor) thoroughly concurred, that the time had not yet arrived for a permanent change of the Standing Order, went further than his noble and learned Friend had suggested. He (the Lord Chancellor) did not think that the question could be left unprejudiced till another Session, if the suggestion was agreed to; and if they did not decide it one way or another now, it ought to be left untouched; but that would hardly be done by his noble and learned Friend's proposal. His noble and learned Friend had not expressed a positive opinion on the general question one way or the other. He had stated that there was a great deal to be said on both sides; but he (the Lord Chancellor) thought that his observations tended more in the direction of this change than of the existing Rule. If he had dwelt at equal length on the other side of the question, he thought the noble and learned Earl might have been able to suggest reasons of equal force on the other side of the question. He could not help thinking that they ought to proceed with great care, for it was a very serious thing to change, without ample deliberation, a Rule founded on the sound principle of letting it be understood that when Parliament sanctioned a certain amount of capital, it meant what it said, and not something else. If they were to permit the deduction of 20 per cent from £100 of nominal capital, as a dividend, that would reduce the real capital to £80 instead of £100, and would be a delusion; it was simply returning to the subscriber 20 per cent out of the money which he had nominally invested. He might just as well keep the £20 in his pocket, and let the capital be called £80. His noble and learned Friend had stated that the same thing might be accomplished by the issue of shares at a discount, for which purpose powers were seldom, if ever, given to a Company when first authorized; but when a Company had erected its works, and secured its credit, Parliament did frequently authorize it to raise further capital in that manner on such terms as might be thought proper. But the distinction was this, that the issue of shares at a discount was after, and not before, and when the work had been done for which the Company was formed, when everyone knew with whom he was dealing and the real state of the credit of the Company; whereas the proposition now in question was that a similar course should be taken at the very beginning of the undertaking, when it might turn out, as such undertakings, unfortunately, did sometimes, to be a bubble, and when shares were being floated in the market by persons who might turn out to have no real interest in the practical success of the concern, and who never intended to have any permanent connection with it. If a discount on the capital which Parliament required to be deposited were allowed, certainly, as regarded the word to be used, it would be more correct to use the word discount, than the word interest. Nobody would be deceived in the one case; but, in the other case, inconsiderate persons might imagine that they were putting money into a secure investment, from which they would get a return in the shape of interest. His noble and learned Friend had stated the arguments on one side of the case rather than the other; and he (the Lord Chancellor) had so far followed that example, as to put the arguments on the other side. Coming to the question of the principle involved in the proposition of his noble and learned Friend, that this matter should be treated as not fit to be determined now, at the end of the Session, without deliberate consideration by a Joint Committee of both Houses of Parliament, then it ought to be remitted to such Committee without the prejudice which must necessarily arise if, in the meantime, their Lordships were to say that the new principle should be adopted *ad interim* in the case of Bills which had passed the other House this Session. On what ground could it be said that good faith required anything of the kind? Those who had introduced the Bills were perfectly well acquainted with the Standing Orders of both Houses; and they had no right to reckon upon any change in either, merely because a Committee of one House had recommended that the subject should be considered. He could not help thinking, therefore, that that consideration must be dismissed, and that there was much to be said for the proposal of the noble Lord (Lord Auckland)—

> "That it is not desirable to alter Standing Order 128, or to substitute for Standing Order 128 a new Standing Order, until a Bill has been passed to amend the Companies Clauses Consolidation Act, 1845, and the Companies Clauses Consolidation (Scotland) Act, 1845, so far as these Acts relate to the payment of interest out of capital by railway or other companies."

There was certainly great force in that view. It was in the power of Parliament, in any particular Act, to determine that the existing provision should not apply; but, on the other hand, the general rule was that the law as laid down by the Act should be applied, and a suspension of the Standing Order was necessary to enable any deviation to take place. If the general rule were not right, the Act of 1845 ought to be amended. He was not prepared to lay down the contrary rule, as they would do by adopting this Resolution; and he did not think any sufficient reason had been given why it should be done in favour of Bills now before Parliament. He did not think either that their Lordships were bound to alter this Standing Order, because the other House had done so.

THE MARQUESS OF SALISBURY said, that the noble and learned Earl beside him (Earl Cairns) had thought that he would follow the advice and promote the wishes of the Government. This change, he (the Marquess of Salisbury) believed, had been proposed and supported by the President of the Board of Trade in the other House, and his noble and learned Friend, no doubt, imagined that, in providing a middle course, by which, without entirely differing from the President of the Board of Trade, we could protect the principles of existing legislation, he should be complying with the wishes and following in the path prescribed by the Government; but his noble and learned Friend must have forgotten, for the moment, sufficiently to reflect on that remarkable phenomenon of modern politics—namely, the dual personality of Mr. Chamberlain. He did not suppose the Government was divided; such a thing never occurred; but Mr. Chamberlain was two personalities; he was not the same man in Birmingham that he was in Downing Street; nor was he the same man on Mondays and Wednesdays that he was on Tuesdays and Fridays. That was to say, he was not the same man on Government nights as he was on nights devoted to Private Business. He had a double personality of time and of place. It was, doubtless, through overlooking this obvious peculiarity of Mr. Chamberlain's remarkable career, that his noble and learned Friend found himself in his present position. At the same time, it appeared to him (the Marquess of Salisbury) that the arguments of the noble and learned Earl on the Woolsack were very convincing, and he thought they had better leave the matter unprejudiced, especially as there seemed to be no anxiety on the other side of the House to spare Mr. Chamberlain's feelings. Considering the enormous amount of property affected, this was one of the gravest Resolutions the House could pass. As regarded it, there was an obvious objection which must strike everyone, for it was really a proposal to enable a certain number of investors to practise upon themselves a species of wholly innocent self-deceit, and to take, in the form of interest, what was really a little of their own capital returned to them. That was what struck one at first sight, and he was far from saying there might not be reason of public policy in favour of the change. But, apart from that, the reasons of public policy were of two kinds, and might operate in two different directions. This was entirely a question whether the kind of railway, which its friends called a contractors' railway, and its enemies called a bogus railway, was a kind of railway which it was desirable to multiply. If railways would pay, the capital would, no doubt, speedily be found, as there was great want of safe investments at the present time. But railways were very often wanted by a district, or by certain persons in a district, which would not only not pay, but which would not pay even their working expenses. If they passed this Rule, and amended their Standing Orders in the way now suggested, they would, no doubt, facilitate the construction of railways of this kind. While these railways, however, would benefit a district, or some of its inhabitants, it was only fair to remember that considerable injury might be inflicted upon the main railway to which the district belonged, and a blow of that kind might result in injury to the public. What would occur would be that one of these small contractors' railways, that did not pay its own expenses, must, in the long run, be bought up by the main railway of the district through which it passed. It would offer itself to some neighbouring railway, and it had a thousand modes of pressure by which it could force the main railway to buy it up. That was really like presenting, by Act of Parliament, a father of a family, already overburdened with spendthrift sons, whom he himself had engendered and brought up, a new prodigal son for whose existence he was not responsible. It was a matter that might be necessary as a point of policy to be done; but it ought not to be done hastily, or with a light heart. If they passed this proposal they would be simply inflicting heavy burdens upon the main line railways, which, in the end, the public would find to be practically imposed upon themselves, when they came to pay the increased fares, and experienced the diminished accommodation which would probably be the result. Although he confessed that his feeling was rather against it, he was anxious not to prejudice the consideration of a subject upon which sufficient argument had not been heard; and it was not the duty of Parliament, permanently, to take the course proposed, without giving to so grave a matter the utmost consideration in its power. For these reasons, he should support the view of the noble and learned Earl on the Woolsack.

EARL GRANVILLE said, that the statement of the noble Marquess was not quite accurate. He had said this amended Standing Order had been brought forward in the other House by the Government, and supported by them. The fact, however, was that the proposition was made, not by the Government, but by the Chairman of Committees in the other House; and it was supported by Mr. Chamberlain, who had expressly stated that he did not speak for the Government in the matter, though, he added, most of his Colleagues agreed with him in favour of the change. When the noble Marquess criticized apparent differences of opinion, it must be remembered that that was not the first time, this Session, that such differences had been exhibited by the speeches of the noble Marquess and those of the noble and learned Earl by his side (Earl Cairns). In this matter they had nothing to do with any question as between old and new railways. The Legislature had thought fit to impose the conditions on which Railway Companies could borrow money, and a good many years ago Parliament came to the conclusion that it was unsound in principle to sanction a nominal payment of interest, which was only a return of a portion of the capital. For his own part, he (Earl Granville) thought it was a matter that affected this House very much, as well as the other House; and, therefore, it was one that ought to be very carefully considered. In these circumstances, he was inclined to agree with his noble and learned Friend (the Lord Chancellor) that the question should be left entirely open; and he could not see why the necessary consideration should not be obtained by the simple adoption of the Amendment of the noble Lord behind him (Lord Auckland). He could not conceive any question which could possibly bear less of a Party character than this; and, individually, he should vote for that noble Lord's Amendment.

EARL CAIRNS said, he was under the impression that this was a proposal which was supported by the Government; and he thought he was justified in saying that the Government came there in order to maintain, as they had maintained in the other House, the alteration of the Standing Order.

EARL GRANVILLE: Oh, no! I said it was not supported by the Government as a Government.

EARL CAIRNS said, it was supported by Mr. Chamberlain; and what was Mr. Chamberlain? He was the President of the Board of Trade, and, in that capacity, he was at the head of the Railway Department of the country, for the Board of Trade was practically the Railway Department. Did the noble Earl opposite (Earl Granville) mean to say it was competent for the President of the Railway Department to support a proposition in the House of Commons, and then to turn round and say it had not been supported by the Government? Did he not commit the Government, by what he said in regard to the Business of that Department? What would the noble Earl himself (Earl Granville), or the noble Earl the Secretary of State for the Colonies (the Earl of Derby), think, if either of them answered a Question in regard to the Business of his Department, and then Mr. Chamberlain, or someone else, were to say—"Oh! the noble Earl did not speak on behalf of the Government?" Could the other Members of the Government throw over the foreign policy of the noble Earl, and say it was not their policy? Or could they take up a similar attitude with regard to the policy of the noble Earl the Secretary of State for the Colonies? What was the Board of Trade for, except to give advice to the House of Commons, or the House of Lords, upon the policy that ought to be pursued in regard to railway matters. And it was absurd to say that, when the President of the Board of Trade advised Parliament on these matters, he did not speak on behalf of the Government. He (Earl Cairns) was entitled to view this as a proposition of the Government; and he had ventured to suggest an Amendment which would remove some of the objections to the proposal. If it was not their proposition, by no means let it be adopted.

THE EARL OF **KIMBERLEY** said, he wished to point out that that was not a proposition of the Government which they now repudiated. It had never been their proposal. It was simply a question of Standing Orders; and it had never been the custom of the Government of the day to take up these questions, but rather to leave them to the discretion of the House. It seemed to him contrary to all sound practice, besides being inconvenient, that such matters should be made Party questions; and he maintained that, in a matter of this kind, they were justified in acting individually.

Motion (*The Chairman of Committees*) *negatived.*

THE MARQUESS OF **SALISBURY** said, it was, in his opinion, undesirable that they should pass a Resolution, stating that they should not alter their Standing Orders except by Act of Parliament; and he would, therefore, suggest that as the noble Lord opposite (Lord Auckland) had now attained his main object, it would be expedient for him to withdraw his Amendment.

EARL **GRANVILLE** said, he was also of opinion that it would be better that the Amendment should be withdrawn.

THE EARL OF **REDESDALE** (CHAIRMAN of COMMITTEES) said, he would consent to his proposition being withdrawn.

Motion (*The Lord Auckland*) (by leave of the House) *withdrawn.*

Then it was *moved*, "That it is not desirable to alter Standing Order No. 128, or to substitute for Standing Order No. 128, a new Standing Order."—(*The Lord Auckland.*)

Motion *agreed to.*

Earl Cairns

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

QUESTION. OBSERVATION.

THE EARL OF **SANDWICH** asked Her Majesty's Government, What they intend to do with the Rivers Conservancy and Floods Prevention Bill? It was a measure of great importance, and had been introduced year after year, but was now apparently no nearer passing than it ever was.

LORD **CARLINGFORD** (LORD PRESIDENT of the COUNCIL), in reply, said, he had been in communication on the subject with his right hon. Friend, Mr. Dodson, who had charge of the Bill in the other House, and he was able to say that, although the pressure of Public Business had hitherto prevented the Bill's progress, the Government were anxious to proceed with it, if it were possible, and had not abandoned all hope of passing it into law this Session.

SUPREME COURT OF JUDICATURE (FUNDS, &C.) BILL [H.L.]

A Bill to consolidate the Accounting Departments of the Supreme Court of Judicature; and for other purposes—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 130.)

House adjourned at Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 26th June, 1883.

The House met at Two of the clock.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Electric Lighting Provisional Orders [216], *debate adjourned;* Elementary Education Provisional Order Confirmation (London) [236].

Committee—Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Tenth Night*]—R.P.

Reported from the Standing Committee on Law and Courts of Justice, and Legal Procedure—Criminal Code (Indictable Offences Procedure) * [No. 226]; Court of Criminal Appeal *.

Third Reading—Turnpike Acts Continuance * [231], and *passed.*

ORDERS OF THE DAY.

ELECTRIC LIGHTING PROVISIONAL ORDERS BILL.—[BILL 216.]

(*Mr. John Holms, Mr. Chamberlain.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Dodds.*)

MR. E. STANHOPE wished to make a few remarks before these Bills were read a second time. He had hoped that some Representative of the Board of Trade would have been present, and in the absence of any Representative of that Board he would move the Adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. E. Stanhope.*)

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—[BILL 217.]

(*Mr. John Holms, Mr. Chamberlain.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. E. Stanhope.*)

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.—[BILL 218.]

(*Mr. John Holms, Mr. Chamberlain.*)

SECOND READING.

Second Reading *deferred* till *To-morrow.*

PARLIAMENT—CRIMINAL CODE (INDICTABLE OFFENCES PROCEDURE) BILL.

Leave given to the Standing Committee on Law and Courts of Justice, and Legal Procedure to make a Special Report in the case of the Criminal Code (Indictable Offences Procedure) Bill;

Special Report *brought up*, and read as followeth:—

SIR MATTHEW WHITE RIDLEY *reported* from the Standing Committee on Law and Courts of Justice, and Legal Procedure, to whom the Criminal Code (Indictable Offences Procedure Bill) was referred, That they had agreed to the following Special Report:—

"The Committee, having completed the consideration of the Court of Criminal Appeal Bill, commenced the consideration of the Criminal Code (Indictable Offences Procedure) Bill on the 5th instant, and proceeded therewith on the 7th, 12th, 14th, 19th, and 21st instant.

"During such consideration Clause 1 was agreed to without amendment; Clauses 3, 7, 10, and 11 were agreed to with amendments; the consideration of Clauses 2, 4, and 5 was postponed; Clauses 6, 8, and 9 were struck out of the Bill.

"Notice has already been given of 390 amendments to be moved on the remaining 120 Clauses of the Bill.

"The Committee are of opinion that there is no prospect of their being able to consider the remaining Clauses of the Bill, or any substantial portion of them, so as to allow the Bill to be reported to the House at such a period of the Session as would afford the House an opportunity of duly considering the Bill, and therefore the Committee have resolved not to proceed further with the consideration of the Bill."

Special Report to be *printed.* [No. 225.]

Bill *reported* from the Standing Committee on Law and Courts of Justice, and Legal Procedure;

Report to lie upon the Table.

Minutes of Proceeding to be *printed.* [No. 226.]

PARLIAMENT—COURT OF CRIMINAL APPEAL BILL.

Bill *reported* from the Standing Committee on Law and Courts of Justice, and Legal Procedure;

Report to lie upon the Table.

Bill, as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 244.]

QUESTIONS.

LAW AND JUSTICE (IRELAND)—JAMES CAREY, THE APPROVER.

Mr. MAYNE asked Mr. Attorney General for Ireland, Whether he is aware that James Carey has written from Kilmainham Gaol to the Town Clerk of Dublin, announcing his intention of taking his seat as a member of the Dublin Town Council at the next meeting of that body, and that the Letter was written on Government stamped paper, and initialed by the Governor of the Gaol; whether the said James Carey has received Her Majesty's pardon for the murders of which he has declared himself on oath to have been guilty; whether, if not pardoned, Carey is not now in the position of a person awaiting trial; whether it is not legally in the power of the Executive to put him upon trial for his life; and, whether, if the Government determine to recommend to Her Majesty to pardon Carey, they intend imposing any conditions upon him, before the pardon is granted, as to quitting and remaining out of the Country, or otherwise?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): It is a fact, I believe, that James Carey has written from Kilmainham Gaol the letter which is referred to in the Question. That letter was written on paper which bore the stamp, and which was initialed by the Governor of the gaol; but there is no significance in this fact, as all persons in the gaol when they write letters for outside are furnished with paper, and the said letters are initialed by the Governor. James Carey has not received any formal pardon from Her Majesty's Government, and he is, of course, in the position of a person liable to be tried for the offence he has admitted to have committed. The consideration of the matter is at present before His Excellency; and I feel sure His Excellency will give great attention to the question of imposing conditions such as are referred to before any pardon is given to him.

FISHERIES (IRELAND)—SALMON FISHING IN LOUGH FOYLE.

Mr. KENNY asked the President of the Board of Trade, If there is any particular size of steamer exempt from carrying lights at night when under steam and near the coast or in a bay or river; if the steamer employed watching the salmon boat fishing in Lough Foyle goes about constantly without any lights; and, whether this steamer is exempted; and, if not, whether any steps will be taken to protect the fishermen from the constant danger of being run down by this vessel?

Mr. CHAMBERLAIN, in reply, said, that all sea-going ships, without reference to size, were required by law to carry red and green side lights. In the particular case referred to he was informed that in order to watch the fisheries these lights were dispensed with, and in police boats the lights were also sometimes taken down. The Board of Trade did not consider the matter called for interference on their part.

INDIA—CRIMINAL CODE PROCEDURE AMENDMENT BILL.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether, in view of the great importance of having the official Reports upon Mr. Ilbert's Jurisdiction Bill (India) in possession of the House before it rises, he will now telegraph to the Indian Government for the Reports from Bengal and Assam which have been already received; whether he can confirm the statement of *The Times* Correspondent that the great majority of these Reports are against the Bill; and, whether Her Majesty's Government have received any confirmation of the alarming reports as to race antagonism shown by Natives towards Europeans, described in the letter of *The Times* Calcutta Correspondent of Monday the 25th?

Mr. J. K. CROSS: I must ask the hon. Member for Eye to have a little patience. Last week I told the hon. Member that the Government of India are aware how anxious we are that these Reports should be sent home without delay, and that it is therefore unnecessary to telegraph for them to be sent piecemeal. I have really nothing to add to this answer. I must ask the hon. Gentleman to let me have an opportunity of seeing the Reports before giving any opinion as to whether they do or do not confirm the statement of *The Times* Correspondent. Her Majesty's Government have not received any confirmation of the alarming reports referred to by the hon. Gentleman.

Mr. ASHMEAD-BARTLETT: The hon. Gentleman asked me to have patience. I would ask him whether it would not greatly facilitate the production of these Reports if they were telegraphed for; and whether, in fact, three weeks would not be saved?

Mr. J. K. CROSS: I have told the hon. Member that the Indian Government are well aware how anxious we are to have these Reports sent home as soon as possible, and it would, therefore, not expedite matters at all to telegraph for them.

SOUTH AFRICA—THE TRANSVAAL—BECHUANALAND.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for the Colonies, Whether it is a fact, as stated in Thursday's papers, that Dr. Jorissen, the Attorney General for the Transvaal, has had an interview with Lord Derby, and has stated that the moral responsibility for all the troubles in Bechuanaland rests upon Sir Hercules Robinson; that the main cause for those troubles is to be looked for in inter-tribal struggles; that there is not, and has not been for thirty years past, anything like "veiled slavery" in the Transvaal; that the native chiefs in Bechuanaland spontaneously offered to the Transvaal Government to come under its jurisdiction; whether there is any foundation for the above statements; and, whether, or not, many Despatches proving the existence of "veiled slavery" among the Boers have been sent home from British Governors and other reliable persons in South Africa?

Mr. EVELYN ASHLEY: The conversation between the Secretary of State and Dr. Jorissen was entirely private and confidential, and therefore I am not able to say anything further about it except this—that with reference to the statements in the Question there seems to be no foundation for them. If Dr. Jorissen did make those statements, I need hardly say that Her Majesty's Government does not agree with them. As to the last paragraph of the Question, I would refer the hon. Member to a Blue Book of 1869, entitled "Correspondence relating to the alleged kidnapping and enslaving of young Africans by the people of the Transvaal." There the hon. Member will find all the information he wants. But the aspect of the case as presented by the Transvaalers themselves will best be seen by reference to a later Blue Book—C. 1342, 1876—which contains a Memorandum drawn up for the Secretary of State by President Burgers, who in 1875 was in England on some financial business. In it he admits the past existence of kidnapping and slave-dealing practices; but says that since the Pretorius party finally prevailed in 1865 the abuses have been fairly put down, and he challenges and appeals to Chiefs living under the Republic as to their good treatment. Lord Carnarvon, writing from the Colonial Office, communicated this Memorandum to the Governor of the Cape, with an expression of his satisfaction at its contents.

POST OFFICE—POSTAL ORDER SYSTEM—EXTENSION TO THE COLONIES.

Mr. RANKIN asked the Postmaster General, Whether, in the interests of emigrants and others who desire to transmit small sums of money either to or from this Country to the Colonies, he would take into his consideration the desirability of extending the Postal Order system to the Colonies, or of lessening the cost of Post Office Orders?

Mr. FAWCETT: In reply to the hon. Member I am glad to be able to state that a Bill is being prepared, which I hope shortly to introduce, to authorize negotiations being entered into with the various Colonies for the extension of the Postal Order system to them.

NAVY—ISSUE OF THE NAVAL DISCIPLINE ACT, 1866, AS AMENDED.

Sir JOHN HAY asked the Secretary to the Admiralty, If he will lay upon the Table a Copy of the Naval Discipline Act of 1866, as it is proposed to be issued to the Navy, when amended by the Naval Discipline and Enlistment Act Amendment Bill now before Parliament?

Mr. CAMPBELL-BANNERMAN, in reply, said, he was willing to meet the wish of the right hon. and gallant Member, and he was in communication with the authorities as to the best means of doing so.

FRANCE AND TUNIS—THE CAPITULATIONS.

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a statement of the Correspondent of the "Daily News," in the edition of yesterday, with regard to the Capitulations with Tunis, to the effect that an arrangement has been settled between France and this Country; and, if he will state what that arrangement is?

Lord EDMOND FITZMAURICE: Her Majesty's Government have been in communication with the Government of France, and have every reason to believe that a satisfactory settlement of this question will be arrived at; but they cannot at present make any further statement.

INTERMEDIATE EDUCATION (WALES) BILL.

In reply to Mr. Stanley Leighton,

Mr. GLADSTONE said, that the Government were very desirous to have the Intermediate Education (Wales) Bill submitted to the decision of the House; but until progress had been made with the Bills now before the House he could not make any definite statement on the subject.

ARMY—RIOT AT THE CURRAGH CAMP.

Sir HENRY FLETCHER: I wish to ask the Secretary of State for War a Question of which I have given him private Notice—namely, Whether he has received any official information with regard to the serious riot reported to have taken place at the camp at Curragh between the 4th Battalion Royal Dublin Fusiliers and the 8th Battalion Connaught Rangers?

The Marquess of HARTINGTON: I have received no detailed Report on the subject. I received late last night a short telegram stating that the accounts had been very much exaggerated; and this morning His Royal Highness the Commander-in-Chief has received the following telegram from Major General Fraser, the officer commanding at the Curragh:—

"A quarrel between two Militia regiments at the Curragh Camp is greatly magnified by the newspapers. The quarrel was quickly quelled. No firearms used. No men killed; no recurrence possible, Connaught Rangers having marched away."

AFRICA (WEST COAST)—BRITISH SHERBRO.

Sir HENRY HOLLAND: I should like to ask the Under Secretary of State for the Colonies, Whether he has received any official information of the fighting said to be going on in British Sherbro?

Mr. EVELYN ASHLEY: All we have received is a telegram stating that the stronghold of the Chief Gbow has been taken, with the loss of two men wounded and one policeman.

SOUTH AFRICA—THE TRANSVAAL—THE WAR BETWEEN THE BOERS AND MAPOCH.

Mr. ASHMEAD-BARTLETT asked, if the Government had any information of the terms of capitulation that had been offered to the Chief Mapoch, now beseiged by the Boers?

Mr. GORST: I would ask whether Her Majesty's Government has any information which leads them to think that Mapoch will get worse terms with the Boers because of his action during the late war?

Mr. EVELYN ASHLEY: I really cannot answer so hypothetical a Question.

Mr. GORST: I ask whether the Government has any information? Surely that is not a hypothetical Question? I will put it in this way—Whether the British Resident in the Transvaal has made any Report to Her Majesty's Government on the subject of the terms of the capitulation?

Mr. EVELYN ASHLEY: Perhaps the hon. and learned Member will give Notice of that Question.

LITERATURE, SCIENCE, AND ART—EXTENSION OF THE NATIONAL GALLERY.

Mr. COOPE asked the First Commissioner of Works, Whether the Government are taking steps for the erection without delay of the proposed extension of the National Gallery; and, whether a Contract has yet been entered into for the execution of the necessary works?

MR. SHAW LEFEVRE, in reply, said, plans were being prepared as rapidly as possible for the erection of the new building, and he hoped before long to invite the attention of the House to them.

ORDER OF THE DAY.

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PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 25th June.*]

[TENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Illegal Practices.

Clause 6 (Certain expenditure to be illegal practice).

MR. STANTON said, the decision which the Committee had arrived at had not, he was glad to say, touched the main issue of the important question which he was about to lay before them. He had not voted for the Amendment of the noble Lord the Member for Middlesex (Lord George Hamilton); not because he did not approve of the principle which that Amendment contained, but because he did not wish to make any distinction between the boroughs and the counties with reference to the conveyance of electors to the poll. They had had a long discussion last night upon this vexed question, and he could not help saying that there had been manifested a great difference of opinion amongst hon. Members upon the subject; but as the Attorney General had shown himself to be unwilling that the expenses of conveyance should be paid, he regarded it as almost hopeless to attempt to carry his Amendment. There was no doubt that the general sense of the Committee had been expressed against that Amendment, and he might fairly take it that the principal reason why Members objected to the payment for the conveyance of voters to the poll was on the score of excessive expenditure. This Bill was notoriously intended to operate for the reduction of the expenditure at elections, and it was only natural that hon. Members who were in favour of that principle should wish to reduce the large item of cost which came under the head of conveyance. But of all the expenses connected with elections that which was incurred for the conveyance of voters to the poll for the purpose of recording their votes was, in his opinion, the most legitimate. If men were to have the franchise at all he could not help thinking that it was only right that considerable facilities should be afforded them for the purpose of recording their votes. And he quite agreed with the statement that had been made, over and over again in the course of these discussions, that there would be a large disfranchisement of voters if the Bill were carried in its present form. The hon. Member for Liverpool (Mr. Whitley) had told them there were 7,000 electors in that town which it would disfranchise in the sense that had been explained; and he added his testimony to that of the hon. Member that a very large number of electors would also be disfranchised in the borough which he had the honour to represent (Stroud). He took it that upon the average throughout the country at least 4 per cent of the electors would be disfranchised in this way. Now, as he had already said, he thought it incumbent on them to make the act of voting on the part of these persons as easy as possible, and as far as he could see there were only two ways by which this result could be arrived at. Either they must allow the expenses of conveyance to be paid, or else they must adopt some method by which voters who lived at a distance from the polling stations could record their votes at home; in other words, they must adopt the system of voting papers. That question, however, would be raised by the noble Lord the Member for North Nottinghamshire (Viscount Galway), who had placed an Amendment on the Paper. He would, therefore, not detain the Committee any further on that point. He rose for the purpose of advocating the claims of the out-voters, and that subject he thought had not yet been sufficiently discussed. There were three or four classes of out-voters. First, there were the faggot voters in counties, with whom he had not much sympathy, and whom he should not be sorry to see abolished. He would remind the Committee that one large source of expenditure would be removed if faggot voters were disfranchised. He thought they were now approaching manhood suffrage. ["No, no!"] There was no doubt that the term "manhood suffrage" sounded very Radical in the ears of some hon. Members; but he could assure them that there was nothing of that character about it. They must have voters with a certain habitation and a name. Now, as they were assimilating the franchise as between boroughs and counties, he did not see why they should not adopt residential manhood suffrage in the counties, as they practically had it now in the boroughs. In that way they should get rid of a large item of expenditure, and then it might fairly be said that this conveyance of voters would not be so objectionable to county Members on the score of large expense. There was another class of out-voters who would be entirely disfranchised if the Bill passed in its present form, and who, he said, ought not to be disfranchised. With these he had much more sympathy than with the last. This class consisted of voters who, from some cause over which they had no control, had removed their residence to some distance from the polling place, and would, in consequence, be disfranchised because they could not afford, supposing they were labouring men, to give up half-a-day's work or more in order to attend the poll; and, inasmuch as the Bill would not allow their railway fares to be paid, they were under a great disability as compared with those voters who lived nearer to the polling stations. Another class of out-voters consisted of labourers and artizans in the service of large employers of labour engaged in building, or in constructing railways, or similar undertakings, and these were often sent for weeks or months together into the neighbouring counties, or it might be to the extremities of the Kingdom. It was quite impossible that a man so situated could come up to the poll and record his vote. He would, therefore, be entirely disfranchised. He said that men of this class were deserving of consideration at the hands of the House, and he sincerely hoped that something might be done to enable them to vote by voting paper. If the House was determined not to allow the expense of conveyance to be paid, either by one candidate or by two candidates jointly, this system must be resorted to, unless the class of persons he had described were to be practically disfranchised. He would remind the Committee that the out-voter was one of the great sources of the Petitions against Members, made with the object of unseating them after they had gone through so much labour. The Committee would be aware of the position which out-voters occupied in relation to almost all elections. Every hon. Member knew well that the first questions an election agent asked with regard to any borough were—First, "How many public-houses have you got?" Secondly, "What are you going to do with the out-voters?" He knew that those matters largely exercised the ingenuity of clever election agents. For these reasons, he thought that something ought to be done to assist out-voters in recording their votes both in boroughs and counties. He would ask the Commitee to consider fairly who it was that this clause would disfranchise. First in importance were the out-voters, whom he took most seriously under his care. But this question of conveyance had been discussed irrespective of the out-voters, and had turned more especially on allowing voters who lived at a short distance to be brought up to the poll. That question having been decided in the negative, he would point out that the clause would disfranchise the sick, the lame, and the infirm, who constituted, unhappily, a large class. It was certain that these people could not, and would not, vote if the Bill passed in its present form. But there were two ways in which this difficulty might be remedied; and he was happy to see that the matter had been taken in hand by Her Majesty's Government, with a view to increase the number of polling places, which would enable voters who lived at a long distance from the polling station to record their votes without sacrificing a day's pay, or interfering with their ordinary labour. The other question they had to consider was whether they could devise any satisfactory system which would enable these persons to vote; and, with that object in view, he begged to move the Amendment standing in his name.

Amendment proposed,

In page 3, line 22, after the word "otherwise," to insert the words "unless such electors be residing, at the time of the election, beyond the county or borough, or at a distance of more than three miles from the polling place at which they may be entitled to vote."—(*Mr. Stanton.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must appeal to his hon. Friend to consider whether he was not, in moving this Amendment, taking a course which would unnecessarily prolong the discussion of this Bill? The Committee had begun to discuss the question of conveyance at 8 o'clock yesterday evening, and during four hours and a-half every topic in connection with that subject had been argued over and over again. The Amendment of the hon. Member was the same as that embodied in the other Amendments which had been discussed. They had already considered the question with reference to voters living in counties and boroughs, whether they lived near the voting places or not, and then they had proceeded to discuss whether they could take in those voters who lived outside. He was bound to say that his hon. Friend had used no argument which had any novelty about it in advocating his Amendment; he had, in fact, only repeated what had been said in the course of the discussion last night. He therefore trusted his hon. Friend would forgive him if he did not enter upon any one of those general considerations with regard to polling places, ballot papers, &c. They had a great deal of business remaining to be done; and he thought it would be a very severe task upon hon. Members if, after the discussion that had taken place, these matters were again to be debated. It had been repeated, on behalf of the Government, more than once, that they had to deal with this question in all its bearings. Amongst the many suggestions that presented themselves they had to consider which were good and which were bad. They had already got rid of some difficulties, and they believed that what of difficulty remained might still be overcome by zeal and perseverance.

MR. J. LOWTHER said, he could not agree to the terms in which the Attorney General had referred to the Amendment he had ventured to introduce to the Committee yesterday, amidst a general buzz of conversation, largely contributed to, he was bound to say, by hon. and right hon. Gentlemen sitting on the Treasury Bench. The Attorney General had alluded to his Amendment as having been been discussed and negatived. He, however, begged to remark that it was neither. Those Members who had been able to hear him would admit that the Amendment was introduced in a very brief speech, and that it was followed by a correspondingly brief conversation, during which the merits of the question were scarcely touched upon. Beyond moving his Amendment, he had said little else than that as there were other Amendments on the Paper that would raise the question which he desired to place before hon. Members he would not detain the Committee at any length. But as he gathered that an attempt was likely to be made—though he could not bring himself to believe that it could possibly be successful—to prevent his noble Friend from raising the question involved in his Amendment, it behoved Gentlemen on those Benches who were in favour of the principle to consider the subject more fully. He was disposed to agree with the Attorney General that some part of this question had been dealt with yesterday afternoon; but he would remind the Committee that the discussion was of an irregular character, and wholly applied to voters who, although resident at a distance of three miles from the voting stations, were, nevertheless, resident in the constituency. Those persons could not be called out-voters, but they were certainly included in some of the proposals discussed yesterday. That being so, he would not dilate upon the second part of the Amendment, but would recommend the hon. Member to press upon the Government the first part of it, which raised an important question that had never been fully considered by Parliament. In the Parliament before last it was true that the subject had engaged the attention of the House, and at that time the opinion was expressed generally that voters resident outside constituencies should be protected in their right to exercise the franchise. But the Attorney General, who was in charge of the Bill, entertained opinions with regard to the franchise which he trusted were his alone, and not those of the Government. He had laid himself under the necessity of expressing an opinion in favour of an uniform residential franchise. He (Mr. Lowther) was aware that the question of manhood suffrage, to which the hon. Member for Stroud (Mr. Stanton) had alluded, was an open question in the counsels of Her Majesty's Government. [Mr. GLADSTONE: No, no.] Would the right hon. Gentleman deny that that was the case?—because, if so, he was sure his statement would be gladly welcomed throughout the country. But he was not to be deterred, even by disorderly interruption, from pointing out that the right of every voter to exercise the franchise was one that, so long as he possessed it, that House was bound to protect. How did the hon. and learned Gentleman the Attorney General propose that a voter resident outside the limits of the constituency should record his vote? He would possibly tell the Committee that the voter must get to the poll the best way he could; but that would practically debar a number of persons from discharging the duty imposed upon them by the Constitution. If the Government did intend practically to abolish the outvoter by this mode of disfranchisement; if the object of the clause was to get rid of those who, as he had remarked last night, held the most ancient franchise in the Realm, it was only right that the Committee should be informed of it, and that, too, by the Head of Her Majesty's Government in his place in Parliament. But he assumed that Parliament intended that voters should have reasonable facilities afforded them for the purpose of recording their votes; and, therefore, if the hon. Member for Stroud would modify his Amendment so as not to travel over the ground which the Attorney General fairly said was covered last night, he believed it would commend itself to many Members of the Committee.

SIR JOSEPH PEASE said, the right hon. Gentleman (Mr. Lowther) had made a second appeal to the Committee on the question of out-voters. He did not, however, think the question was as important as it was assumed to be. In the county of Durham there were 1,074 outvoters; and, having gone carefully over the lists some time ago, he found that they, as nearly as possible, voted equally on both sides. The cost of the tickets sent to these voters last Election was about £486, and the amount was equally divided between the candidates. The right hon. Gentleman said that the clause would practically disfranchise many out-voters; but he would ask, was the candidate to be the person to enfranchise them? The rights of an elector were regulated by certain rules and laws enacted by Parliament, and it was not for the candidate to say that the elector was to be put in a position to exercise the franchise. There was nothing in the clause to prevent a man from sending his friends to the poll in his own conveyance, and that practice was adopted at the last elections for Northumberland and Herefordshire. But it was useless to bring up out-voters, who had no practical effect in deciding the result of the election. If they looked over the lists of out-voters, they would find they were generally the private friends of candidates having no interest whatever in the constituencies beyond their 40*s.* freehold. The best way to deal with the question was to allow outvoters to take care of themselves in the matter of voting. For his own part, he objected to the out-voters applying to the candidates to pay their fares to Durham, say from London, or places even more distant, when the payment for a 240 miles' journey was only £1.

MR. GREGORY said, he did not think the hon. Member for Stroud (Mr. Stanton) had chosen a very convenient time for raising the question with reference to out-voters; because, although it was one that would have to be dealt with before they parted from the Bill altogether, it had no connection with the clause under consideration. He would place on the Paper a new clause, which he thought would practically provide for out-voters in the exercise of the franchise; and on the present occasion he rose for the purpose of reserving his right of making that proposal at the proper time.

MR. RAIKES said, he was unable to agree with the words that had fallen from his hon. Friend the Member for East Sussex (Mr. Gregory). He felt that it was not always the most convenient way of settling a question to bring it forward on a new clause; he thought it better, when the question was germane to the clause under consideration, to deal with it at once. The hon. Member for South Durham (Sir Joseph Pease) had deprecated all payment on account of the conveyance of out-voters, on the ground that, as a rule, they voted equally on both sides; but that seemed to him to be rather the view of a political partizan than of a person who wished to give voters an opportunity of exercising the franchise. The question, however, was as to whether out-voters were to be deprived by a side-wind of the franchise they possessed by means of this clause? That was the point, and he was glad to hear from the statement of the hon. Baronet that a contrary opinion prevailed amongst the out-voters in his own district. The hon. Baronet asked why was the candidate to pay for the enfranchisement of these persons? To which he (Mr. Raikes) replied that it was simply because no one else thought it worth while to do so. ["Hear, hear!"] It was always gratifying to be cheered by the hon. Gentleman; but, in the present instance, his cheer told against himself, because if the central organizations of Birmingham, Leeds, Manchester, and elsewhere, devoted themselves to pay for the travelling expenses of out-voters, there was nothing in the Bill to prevent their doing so. He confessed to entertaining the opinion that when the Attorney General said he would not recapitulate the arguments which had been used yesterday, he said so because he felt himself unable to meet the arguments advanced in favour of the present Amendment. He should cordially support the hon. Member for Stroud if he went to a Division on his Amendment; because, while it seemed to him fairly to express the voice of the country with reference to this matter, it would avoid the strong tinge of hypocrisy shown in preventing one person from doing that which a body a persons were allowed to do with impunity.

MR. BIGGAR said, he hoped the Committee would not agree to any of the suggestions with regard to the conveyance of voters to the poll. It appeared to him that they ought not to assent to the carriage of voters, either by coach, railway, or other means. Again, he hoped the Committee would not agree to allowing persons to vote by voting papers, which system had in Ireland led to a large amount of undue influence and fraud. He wished to impress upon the Committee the desirability of requiring persons, who happened to live at a distance, to go to the poll and put their tickets into the ballot-box in the same way as other voters had to do.

MR. MACFARLANE said, he should be glad to know who were those exiled patriots whom this Amendment was intended to protect? He understood they were only 40*s.* freeholders; and, if so, they were nothing else than faggot voters. They were not *bonâ fide* voters, having an interest in the locality at all events; and if the effect of the Bill should be to disfranchise them altogether he should not be sorry.

SIR R. ASSHETON CROSS said, the hon. Member who had just spoken was altogether wrong in his opinion with regard to the out-voters. They were a very numerous class, and, as a rule, possessed a considerable amount of property in the counties, although they did not reside on the spot. The right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) had referred to one point which he would strongly commend to the attention of the right hon. Gentleman opposite. The great danger was that unless some precaution were taken a large amount of money would be spent by associations at Birmingham, Leeds, and elsewhere, such as had been referred to; and before they passed from the Bill, he thought some provision must be inserted in order to prevent the state of things to which his right hon. Friend had alluded. If the penalty for conveyance of voters was so great that the candidate would lose his seat, and the agent be liable to punishment, some provision must be introduced not only with regard to the candidate and his agent, but also for the purpose of dealing with the associations in question.

MR. CAVENDISH BENTINCK said, he should be glad if the hon. Member opposite (Mr. Stanton), would inform the Committee what was meant by the term faggot voter? Until they had some definition of the term he thought the Committee had better abstain from passing the clause.

MR. HICKS said, he thought it desirable, before they went to a Division on the Amendment of the hon. Member for Stroud, that the Attorney General should favour the Committee with his opinion with regard to the next Amendment on the Paper, and the manner in which he intended to deal with it; because if the hon. and learned Gentleman were disposed to meet that Amendment in a conciliatory spirit, he believed it would remove all necessity for dividing on the present question. He wished, as much as possible, to reduce expenses at elections, and remove the opportunities of bribery and corruption. And he thought that if out-voters were allowed to give their votes in the same way, and under the same restrictions, as votes were given at the Universities, all the objections to this part of the clause, as it was now drawn, would be removed, and the present Amendment might at once be negatived. One word with regard to out-voters. He could not admit that they were properly categorized by the term faggot voters; on the contrary, he agreed with the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) that many of them were holders of property in the counties that had belonged to their relations for generations.

Mr. O'CONNOR POWER said, he was able to confirm the statement of the Attorney General, to the effect that the points raised by this Amendment had been discussed on the previous day. The hon. Member for Stroud (Mr. Stanton) had stated, at the beginning of his speech, that he did not know whether he was justified in presenting this Amendment to the Committee. If the hon. Member was himself in doubt, he would suggest that the best course would be to withdraw the Amendment.

Mr. WHITLEY said, it was true they had had a long discussion last night on the general question of conveying voters to the poll; but it appeared to him that none of the remedies proposed were satisfactory. He thought it would have been better had the hon. Member for Stroud introduced into his Amendment the word "working," as well as "residing," because it would have met the difficulty raised by him last night. His objection was that the polling booths would not be near the working man, and that the dinner hour would be too short, in many cases, to allow him to record his vote. He wished to draw attention to one of the remedies proposed by the President of the Local Government Board. He could not imagine any course more detrimental than that which the right hon. Gentleman had suggested, which was to give the working men a holiday on the day of election. Nothing, in his opinion, was more likely to lead to corruption than an arrangement of that kind. At one election, at which he was present, all the factory girls turned out, and a more demoralizing result could not have been witnessed. He thought that the proposal, that working men should turn out on the day of election, probably with their wages in their pockets, was calculated to lead to the grossest corruption, and he was therefore unable to agree to it. He believed the Amendment of the hon. Member for Stroud was absolutely necessary to meet the present difficulty; and if he proceeded to a Division he should certainly vote with him.

Sir CHARLES W. DILKE said, the hon. Member for Liverpool (Mr. Whitley) had not quite correctly quoted him. He had simply pointed out that the Ballot Bill proposed to extend the hours of polling, and that this would enable those electors to vote who were not allowed a holiday by their employers on polling days.

Mr. STANTON said, after the appeals made to him he was willing to withdraw his Amendment. His proposal was more particularly intended for the protection of out-voters, properly so called, who, although they ought to be enabled to record their votes, would be absolutely disfranchised by the clause in its present form. Although he might have been in error in reviving the question with regard to voters who lived at short distances from the polling stations, after the discussion of last evening he could not but feel that the question of the conveyance of out-voters residing at considerable distances had hardly received the consideration to which it was entitled. With these remarks, he would ask leave to withdraw his Amendment. [*Cries of* "No, no!"]

Question put.

The Committee *divided*:—Ayes 68; Noes 163: Majority 95.—(Div. List, No. 151.)

Viscount GALWAY said, he had the following Amendment on the Paper:—Page 3, line 22, after "otherwise," insert—

"Provided, That any voter residing more than fifteen miles from the nearest polling station shall be permitted to send in a voting paper, duly attested before a justice of the peace, stating which of the candidates he votes for, and such voting paper shall be accepted by the returning officer as a valid vote, and the expenses for sending out such voting papers may be borne by the candidates."

THE CHAIRMAN: I have carefully considered this Amendment. The Bill, a clause of which the noble Viscount proposes to amend, is a Bill for the prevention of corrupt practices; but the Amendment of the noble Viscount relates to a mode of voting which is dealt with in another Bill—namely, the Ballot Act Continuance and Amendment Bill, the consideration of which the House has already entered upon. The noble Viscount's Amendment, therefore, would not be in Order here. Were I to admit it, I fail to see how other Amendments to the Ballot Act Continuance and Amendment Bill could be excluded.

MR. GORST rose——

VISCOUNT GALWAY rose to Order. He said, the question his Amendment dealt with had been frequently alluded to both by the hon. and learned Gentleman the Attorney General and other Members of Her Majesty's Ministry, and he (Viscount Galway) had naturally thought that his proposal would be allowed to come in here, especially as part of the Amendment dealt with the expense of the candidate upon the particular point with which the proposal dealt. He would ask whether, inasmuch as the Ballot Act would come to a termination before this Bill could come into operation, if the Committee were to decide in favour of his Amendment now, would it not be competent then for the Government to frame the Ballot Act Continuance and Amendment Bill in accordance with this measure?

THE CHAIRMAN: I do not quite see the point the noble Viscount wishes to raise.

SIR STAFFORD NORTHCOTE said, there was a point upon which he should like to get the opinion of the Chairman. The Proviso his noble Friend desired to move contained not only a provision as to permission to a voter to vote by means of a voting paper, but also provided that the expense of sending out such voting papers might be borne by the candidates. He wished to know whether this was a point that could be dealt with in the Ballot Act Continuance and Amendment Bill, and whether that measure would not raise a totally different question from that which was raised by this Bill, of which one of the most important features was the limitation of expenses to be incurred? It was obvious that one point his noble Friend would raise would be this—that permission should be given to send voting papers, and that permission should be given in the Schedule of this Bill for the payment and sending out of such papers. Could that point be dealt with in the Ballot Act Continuance and Amendment Bill, or could it be dealt with in this measure?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he wished to make an observation on the point of Order. If this Amendment were carried, they would be repealing a clause of the Ballot Act. The Ballot Act said that they should take a vote in a certain way—namely, by ballot in the polling booth, where the voting paper was to be delivered into the hand of the voter by the Returning Officer. If this Amendment were adopted, it would introduce a new system; and though it was true that the latter part of the Amendment dealt with the expense of sending out voting papers in the way proposed, yet any Amendment upon almost any subject might be exercised in the same way—namely, because the expense would be dealt with in the Schedule of the Bill. The offence could only come into existence by their first altering the method of voting. The right hon. Gentleman (Sir Stafford Northcote) asked whether this could be dealt with in the Ballot Act Continuance and Amendment Bill, and his reply was that any alteration that affected the mode of voting could, no doubt, be dealt with in that measure. He should certainly think that if there were any expenditure resulting from an altered mode of voting it could be dealt with in that Bill.

MR. J. LOWTHER said, he also had a word to say on the point of Order before the Chairman answered the question put by his right hon. Friend (Sir Stafford Northcote). He wished to ask whether it was the case that previous to the time when the present Bill, if it passed into an Act, would become law, the Ballot Act which at present prevailed would cease to be the law of the land unless, in the meantime, it were re-enacted by the Legislature? Was that the case? Was it out of Order, he would ask, to insert in the Bill these provisions, although they might run counter to provisions contained in an Act which would expire before the present measure would come into operation?

The CHAIRMAN: I base my decision on the fact that the Amendment of the noble Viscount is not relative to the subject-matter of this Bill, and on that account is not in Order.

Mr. GORST said, the next Amendment on the Paper stood in his name, and proposed to insert, in line 22, after the word "or," the words "on account of the canvassing of votes." No doubt, by this Bill the payment of canvassers was made illegal. It might be said that they were not necessary; but that would apply to the whole category of illegal practices not specifically mentioned. These payments had hitherto been legal, and they were now, for the first time, to be made illegal. Paid canvassers were perfectly legal, and it was proposed in this Bill to make their employment illegal. Therefore, he thought it had better be specifically set out amongst the rest of illegal practices. His Amendment would draw attention to the fact, that that which had hitherto been perfectly innocent would now become an illegal act.

The ATTORNEY GENERAL (Sir Henry James) said, this Amendment had already been before the Committee. It was yesterday called on during a rather unattractive part of the evening, and the hon. and learned Gentleman (Mr. Gorst) was accidentally not present. It was moved, however, in his behalf and disposed of.

Mr. GORST: Then, of course, I will not proceed with the Amendment. I will withdraw it at once.

The ATTORNEY GENERAL (Sir Henry James) said, he only wished to explain how the matter stood. It was not necessary for him to say anything with regard to the proposal, as he had stated his views respecting it at the last Sitting.

Mr. SHEIL said, that in line 23, Subsection 1, he wished to move to leave out the words "to an elector." He might say he could claim no originality for this Amendment, as he had copied it from the Bill introduced by the Attorney General; it was only bringing into force what it was intended by the hon. and learned Member last year should be the law. He would merely content himself with moving the Amendment, and pointing out to the Committee that the proposal, if it commended itself to the Committee, would have the effect of putting an end to extravagant expenditure that could be now legally incurred by the use of placards and posters during an election. Very few of them who had undergone the expense of a contest could forget the item in their bills for placarding and so on.

Amendment proposed, in page 3, line 23, sub-section 1 (*b*), to leave out the words "to an elector."—(*Mr. Sheil.*)

Question proposed, "That the words proposed to be left stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, he had no doubt the hon. Member was right when he said the words "to an elector" did not appear in the Bill of last year. But in the present Bill it was deemed advisable to pursue a middle course. On the one hand, there would be many cases of corruption where there were large payments, and sometimes great imposition was practised on a candidate in the matter of getting a great many people to put up notices and placards in their windows and on their premises. In some places constituencies were corrupted wholesale in this way. It had been felt that to leave open such a door as this, and thus allow payments to be made to an elector for putting up these notices, would be very dangerous. It might have been said to a voter—"Let me put up one of my bills in your window, and I will give you £5 for it." But whilst they wished to check this corruption, they desired to allow some freedom of action to candidates. There were many people who carried on a legitimate trade by posting bills and notices on such places as disused premises or hoardings, and it would not be right to object to payments being made to such persons for putting up notices. The Bill would stop this practice where it was not legitimate, but would permit it where it was right and proper. He had endeavoured to meet every view of the question, and he had stated, in Sub-section 3, that these payments might be made where it was the ordinary practice of an elector to receive payment for the use of any house, land, building, or premises for the exhibition of bills and advertisements. Where an elector received payment in this way in the exercise of his ordinary trade or business, such elector would not be allowed to vote, or, if he did, his vote would be void.

MR. J. R. YORKE said, the effect of this Amendment in boroughs at the present time would be—and he supposed it would be the case also in counties, if the county franchise were extended—that the only person who would be allowed to exhibit these notices would be the female householder. Supposing the Amendment were adopted, if they wanted the use of a house in a borough, they would not be able to take that of any elector.

MR. CALLAN said, he thought the hon. and learned Gentleman the Attorney General was confusing himself. The Government were pledged to the extension of the borough franchise to counties; and, therefore, when they had fulfilled their pledge they would have every householder in a county, equally with every householder in a borough, unable to exhibit placards. He was thoroughly well acquainted with both counties and boroughs in Ireland; and he must say that if the Bill stood as it was now framed, the effect of its operation would be to offer a kind of bribe to the Radical Press. How would they be able to publish election addresses or notices if they prevented residents from exhibiting such things on their premises? [Sir CHARLES W. DILKE: Do not pay for them.] All constituencies were not so perfect as the constituency of Chelsea. Besides, all constituencies had not the paraphernalia of the Eleusis Club, and they had not all so many doors and windows and hoardings. He knew many places in Ireland where they would not get notices put up if they did not pay for them; and the legislation proposed in this section of the Bill was of a grandmotherly kind, which he very much objected to. If they did not amend the clause, let them leave it out altogether.

SIR GEORGE CAMPBELL said, he had thought the Amendment an excellent one, and he had been confirmed in that opinion by what had fallen from the hon. and learned Gentleman the Attorney General. The hon. and learned Gentleman had said that the words proposed to be left out were not in the Bill when originally brought in, and that it was a second thought that induced him to insert them. He thought that if they allowed a non-elector, or a female, who hoped to become an elector, to make money by these notices, they would be giving occasion to the grossest expenditure and danger of corruption.

SIR CHARLES W. DILKE said, that his hon. Friend (Sir George Campbell), and all those who had taken part in the discussion, had forgotten the fact of the existence in this Bill of a Schedule, and that those points would be dealt with in that important part of the measure. Those who, like the hon. Member for Louth (Mr. Callan), had gone altogether beyond the mark, had not given constituencies credit for sufficient Party spirit. Even if candidates were not allowed to put up bills and notices, no doubt the constituents themselves would find every means by which the facts to be placarded would be made known. For instance, ordinary shop-windows were not paid for.

MR. CAVENDISH BENTINCK: Yes, they are.

SIR CHARLES W. DILKE: Well, if the right hon. and learned Gentleman paid for the use of shop-windows himself, he ought not to do so.

MR. CAVENDISH BENTINCK said, that the right hon. Baronet who had just sat down ought to have known that there was a certain Association, called a Liberal Association, which paid for the placarding of notices of this kind in shop-windows.

SIR CHARLES W. DILKE: No.

MR. CAVENDISH BENTINCK asked who paid for all the bills exhibited at the Railway Stations during the last Election?

SIR CHARLES W. DILKE intimated that it was the Radical Clubs, to which he did not belong.

MR. CAVENDISH BENTINCK said, that, probably, the right hon. Gentleman was not a member of, or a subscriber to, any of the four Radical Clubs that governed the Liberal Party in Chelsea; but he should like to know whether the right hon. Gentleman was a member of the Liberal Association, which was supported by these four Radical Clubs?

SIR CHARLES W. DILKE said, a candidate ought not to be prohibited from paying for advertisements, or from paying for the exhibition of large posters. This matter would be covered in the Schedule. He had said that private individuals were not paid for exhibiting bills in their shop-windows.

Mr. GORST remarked, that, unless this Amendment were accepted, the clause would make it legal to pay people who were not electors for exhibiting not only posters, but also flags and banners. Had the hon. and learned Gentleman the Attorney General considered what a door to corruption that would open? A candidate might not employ an elector to put up notices and posters; but he would be able to employ the whole of his children and his other relatives. This had been done in more cases than one, and had proved to be a most serious form of corruption. Were the children of electors to be allowed to walk about in an electoral district exhibiting flags and placards, of course, being well paid for it? If the clause were accepted as it stood, such employment would be textually legalized. He trusted the Attorney General would consent to the omission of these words. There was ample provision made in the Bill for all legitimate advertising and bill-posting, such as would be done by Messrs. Willing; and if these words were left out they would prevent illegitimate posting.

Mr. LEWIS said, he thought it was time the attention of the Committee was called to what would be the consequence of the clause. It would be observed that, although none of these acts would be illegal in the case of a non-elector, yet in the case of a voter, if in a solitary instance a candidate paid for the use of a hoarding to exhibit a bill or a placard, if such a contract could not be brought within the terms of Sub-section 3, the candidate would be disqualified for ever from sitting in Parliament for that constituency. Was ever anything heard like it under the sun? When one came to consider the clauses of the Bill, one was amazed to see how hon. Members on the other side of the House were prepared to annihilate, politically, persons sitting around them for one isolated, trivial act of this kind. It was not necessary, according to the Bill, that this should be committed corruptly, in order to bring down upon the candidate the full force of the punishment under the Bill. One small act, even though it had not been a corrupt practice or bribery, would be fatal to the candidate. If the payment were made to an elector corruptly or uncorruptly on account—

> "Of the use of any house, land, building, or premises for the exhibition of any address, bill, notice, flag, or banner"—

according to the terms of Clause 10—

> "that candidate shall not be capable of ever being elected to or sitting in the House of Commons for the said county or borough, or of being elected to or sitting in the House of Commons during the Parliament for which the election was held, and if he has been elected his election shall be void."

Was not this *reductio ad absurdum?* As to respect for the law, no one with the slightest grain of common sense could ever entertain the smallest respect for it. What would be the result of all this? The House of Commons was proposing to enact that if a candidate employed a "sandwich-man" to walk up and down Oxford Street with that candidate's name upon it, and with his knowledge and consent, he would for ever be disqualified from sitting for the constituency of Westminster. It was a disgrace to the House to be asked to pass such a clause. Such a proposal seemed to him to be more fit for those sham Houses of Commons which were set up in different parts of the country for young men to practice themselves in the art of speaking. There was not the smallest indication in the words of the proposal of the Bill that *mala fides* was at all necessary in the act which was condemned. The mere fact of a candidate hiring a "sandwich-man," if an elector, to walk up and down Oxford Street would disqualify him for ever from sitting for that constituency. They were now approaching that part of the Bill where the most wretched absurdities were to be enacted in the name of purity of election, and where they were to surround themselves with pitfalls. They ought to allow common sense to prevail upon such a point as this.

The ATTORNEY GENERAL (Sir Henry James) said, he had not kept a record of all the adjectives and adverbs which the hon. Gentleman who had just spoken had applied to the Bill; but all that the hon. Member had said had nothing to do with the clause. The whole question was whether the words "to an elector" should be retained; and his view was that it would be well to retain the words with the object of preventing many of those things which were mentioned in the section from being done with a corrupt motive. He did not wish to put in the maximum Schedule anything to limit too strictly the sum which could be spent in the way of advertising a candidate; but he did wish to prevent the law from being evaded, and he certainly believed that the insertion of these words, "to an elector," would prevent corrupt practices prevailing. Whilst these words were maintained the clause would allow authority to persons, if they chose, to employ persons who were not electors for the purpose of exhibiting these placards. Of course, if the Committee chose to go beyond the point at which he stopped, it was perfectly competent for them to do so. There was no objection to a "sandwich-man" being employed, and no cognizance would be taken of such employment, provided that person was not an elector, and therefore there was no prospect of getting his vote in return for the payment made for his services. He thought that by retaining these words they would not be affording much opportunity for corruption.

SIR R. ASSHETON CROSS said, that when the Bill of last year was before them every one who read it at once saw that it would have been almost impossible for a candidate to make known his political opinions by placarding to his constituency. The hon. and learned Gentleman had very much modified the Bill since last year, and very wisely, too, as he (Sir R. Assheton Cross) thought. He had done two things. He had allowed persons in the habit of advertising—such persons as Scott and Willing—to be paid for putting up posters and advertising a person's candidature—say, in the City of Westminster; whereas, under the old Bill, no one could have been employed for this purpose. Secondly, the constituency would have had great difficulty in finding out what the candidate's opinions were; and, in order to meet the difficulty that no doubt was felt to arise in the case of the old Bill, the Attorney General had put in Sub-section 3. In that part of the old Bill dealing with this subject, the hon. and learned Gentleman had included torches, bands, flags, banners, ribbons, and many other things. The hon. and learned Member for Chatham (Mr. Gorst) was, he thought, mistaken in what he had said, because the section under discussion only applied to the use of the house, land, building, or premises of an elector. That was to say, the candidate was not to pay him for putting up bills, notices, flags, or banners on these places. [Mr. GORST: No, no!] If the hon. and learned Gentleman would look at Clause 13 he would see that flags, banners, &c., were treated in a manner much different to that which he supposed. The section said—

> "No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate at any election, be made on account of bands, torches, flags, banners, cockades, ribbons, or other marks of distinction."

On the particular point they were discussing the Committee ought to be very careful, because he could not help thinking that the clause was strong enough as it was, and that the words "to an elector" modified the extreme severity that was objected to in the Bill of last year. He trusted these words would be maintained,

MR. ARTHUR ARNOLD said, he should support the Amendment of the hon. Member (Mr. Sheil), as he was of opinion that if it were not adopted they would have to go into the question of the employment of the elector's mother, children, or other relatives. It could not always be said that a voter's relatives were employed and paid for the purpose of purchasing that elector's vote, because the offer might be made to give this employment and this payment if a man would abstain from voting. Also, it might be that the offer of payment to an elector for putting up a bill on his premises might be made if he would abstain from voting.

VISCOUNT FOLKESTONE asked whether, if these words were taken out, a candidate would not be prevented from undertaking the posting of bills and circulars in the district he wished to represent? Would they not be preventing bill stickers from putting up ordinary notices?

MR. O'CONNOR POWER said, he thought the remarks of the noble Viscount (Viscount Folkestone) were pertinent to the discussion. This clause was sufficiently stringent for all practical purposes as it stood, and he regretted that the hon. Member for Meath (Mr. Sheil) should have thought it necessary to move an Amendment which would only fetter the legitimate declaration of political opinions, and restrain candidates from making announcements which were absolutely necessary in order to put themselves before the constituencies. The hon. and learned Gentleman the Member for Chatham (Mr. Gorst) had told them that by the 3rd sub-section of this clause ample provision was made for the posting of advertisements, and that the candidate had permission to employ persons who could do the work in the ordinary course of trade; but he wished to point out to the hon. and learned Gentleman that any such voter did it at the peril of losing his vote, and that during the election he could only carry on his business if he was prepared to lose his vote for that occasion. That afforded no guarantee at all for the suitable advertisement of an election. He hoped the Amendment would not be carried.

Mr. BULWER said, that, as he understood it, the "professional" sandwich-man, even though he were an elector, would be allowed to ply his trade during an election. Well, if a Dissolution were to take place now, and a General Election in a month's time, he would venture to say that there would be an enormous increase in the number of "professional" sandwich-men in the country before the polling day. He did not know that there was any limit as to the time it was necessary for a man to have carried on his trade in order to entitle him to call himself a "professional" sandwich man. At any rate, during the month's interval there would, he should think, be ample opportunity for embracing the sandwich profession or the profession of bill sticking.

Mr. TOMLINSON said, it behoved them to be cautious upon this matter, otherwise they would be making it possible for one side or one organization at an election contest to buy up the only places where bills could be legally posted.

Mr. RITCHIE said, that it seemed to him that while Sub-section 3 provided for exceptions in the case of people whose business it was to exhibit bills, there seemed to be no provision whatever for excepting the people who put up the bills.

Mr. LEWIS asked what part of Sub-section 3 would apply to the bill poster? In order that there might be no mistake about it, he would ask the Committee to allow him to read over Sub-section 3. It said—

> "Provided that where it is the ordinary practice of an elector to allow for payment the use of any house, land, building, or premises for the exhibition of bills and advertisements, or it is the ordinary business of an elector to exhibit for payment of bills and advertisements, a payment to or contract with such elector, if made in the ordinary course of business, shall not be deemed to be an illegal practice within the meaning of this section, but such elector shall be deemed to be employed for reward for the purpose of the election within the meaning of the enactments mentioned in Part Two of the Third Schedule to this Act, and accordingly shall not be entitled to vote, and if he votes his vote shall be void."

The services of the bill poster were necessary in some districts, in order to circulate the placards and posters in villages.

Mr. GORST: It does not refer to that.

Mr. LEWIS said, he thought the duty of the bill poster was to put paste to a bill and stick it up. He believed, with his noble Friend below the Gangway (Viscount Folkestone), that this proposal would prohibit the employment of bill stickers. He did not think the course of the Committee improved as it went on, and he exercised the option he had of stigmatizing as severe many of these clauses. The Attorney General often repeated that they should not consider the punishment when they were considering the offence. That was the hon. and learned Member's usual advice; but it was not right to split these things up into two parts. The Attorney General would say when they came to punishment—"You have made this an offence and you must punish it;" and in that way the Committee were never able to get an adequate or comprehensive view of the matter. If they left the words in, it would not be necessary for a person to be an elector for the act to be corruptly done.

Mr. GORST said, the clause did not refer to the bill sticker, who was not paid for exhibiting the bills, but for sticking them up. The man who was paid for the exhibition of the bills would be the "sandwich-man," who carried them up and down the streets. The bill sticker only posted them on the walls.

Mr. SHEIL said, he had received enough support to encourage him in going to a Division and taking the sense of the Committee. What he meant the

Amendment to apply to was the exhibition of posters and placards. He was quite aware that the Post Office was very much resorted to at election times for distributing bills and circulars; but it was notorious that use was made of trifling services by individuals who happened to be voters, as an indirect means of bribing them. It would be found that the men who were employed were men who either had votes themselves, or who could command votes; and the result was that an enormous sum was spent in printing bills and circulars, which were placed in the hands of individual voters who were paid for circulating them. Of course, the money came out of the pockets of the candidates afterwards; and the practice was resorted to and the expense paid on the supposition that it was a means of gaining votes.

Question put.

The Committee *divided*:—Ayes 239; Noes 66: Majority 173.—(Div. List, No. 152.)

MR. H. S. NORTHCOTE moved, in page 3, line 23, after the words "to an elector," to insert the words "or to the wife, son, or daughter of an elector." He thought payments made to the wife and children of an elector would be payments made to persons under the control of the elector as head of the house. He hoped that something in the nature of this Amendment would commend itself to the Attorney General.

Amendment proposed, in page 3, line 23, after the words "to an elector," to insert the words "or to the wife, son, or daughter of an elector."—(*Mr. H. S. Northcote.*)

Question proposed, "That those words be there inserted."

MR. O'CONNOR POWER said, he entirely agreed with the hon. Member for Exeter, that some Amendment of this kind was needed; but when the hon. Member proposed to classify the relatives of an elector, he was not sufficiently comprehensive. It was the first time in making any legal provision that he had found the mother-in-law was to be excluded, or, as his noble Friend below him (Lord Randolph Churchill) suggested, the deceased wife's sister. What he would respectfully suggest was, that instead of mentioning the wife, son, or daughter, he should make use of the term "relative," which would include the whole. The hon. Gentleman had better make the clause read "to an elector or the family of an elector."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the sub-section of the clause to which the Amendment applied was directed against the actual employment of an elector, or to payments made to him for unnecessary services. Of course, such payments naturally came within the clause; but when they came to consider the wife, son, or daughter, he thought they would find that there would be considerable difficulty in dealing with such a question. For instance, the son or daughter might be a person 50 years of age, and the daughter might be a married woman, or a widow, and it would be difficult to show how either of them would be under the influence of the voter. Seeing that this degree of affinity did exist, if they were to deal with the son and daughter, he certainly failed to see why they should not include the brother and sister as well. He trusted the Amendment would not be pressed.

MR. H. S. NORTHCOTE said, he would not oppose the suggestion of the hon. and learned Gentleman, and would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. A. J. BALFOUR said, he wished to move the Amendments which stood in the name of his hon. and learned Friend the Member for Chatham (Mr. Gorst). They all applied to Sub-section (*b*), and were each consequent upon the other. The object of them collectively was to secure the omission of the words "flag or banner" from the sub-section. He thought he was able to give reasons that were sufficient to convince the Committee that it would be of advantage to adopt these Amendments; but he would only remind them of what had already been said by the right hon. Gentleman the late Home Secretary (Sir R. Assheton Cross), that the questions of flags and banners would be dealt with later on in Clause 13 of the Bill, which rendered illegal all payments on account of flags, banners, and other marks of distinction, altogether irrespective of whether the flags or banners had been contributed by electors or not. Therefore, nobody could oppose the omission of the words in that section; and he would suggest to the Attorney General that it would be advisable to confine all reference to flags and banners to the 13th clause. He begged to move the first of the Amendments standing in the name of his hon. and learned Friend, and it really carried the rest with it.

Amendment proposed, in page 3, line 24, after "bill," insert "or."—(*Mr. A. J. Balfour.*)

Question proposed, "That the word 'or' be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, that if it were necessary he could show that there was a slight difference in the enactment of this clause and Clause 13; but he would not take up the time of the Committee by dealing with the matter, as the difference was not a very substantial one. It certainly seemed to him that Clause 13 dealt sufficiently with the question of flags and banners by making their use illegal; and, under those circumstances, he was quite willing to accept the Amendment.

Amendment *agreed to.*

Mr. A. J. BALFOUR moved, in page 3, line 25, to leave out "flag or banner."

Amendment *agreed to.*

Mr. A. J. BALFOUR moved, in page 3, line 26, after "Bill," insert "or."

Amendment *agreed to.*

Mr. A. J. BALFOUR moved, in page 3, line 26, to leave out "flag or banner."

Amendment *agreed to.*

Mr. LEWIS rose to move the omission of Sub-section (*b*).

The CHAIRMAN pointed out that as the words "to an elector" had already been affirmed in the clause, it was hardly competent to move the omission of Sub-section (*b*).

Question, "That Sub-section (*b*) stand part of the Clause," put, and *agreed to.*

Mr. LEWIS said, that his Amendment really applied to Sub-section (*c*). The objection he had taken to Sub-section (*b*)—namely, that it was very severe, applied with still greater force to Sub-section (*c*). He therefore begged to move, in page 3, line 27, to leave out Sub-section (*c*). The Attorney General had objected, in discussing one part of the Bill, to any reference being made to the Bill as a whole; but, notwithstanding that objection, it was absolutely necessary in this case that he should read Sub-section (*c*) by the light of Clause 10. Sub-section (*a*) of Clause 10 enacted that—

> "In the event of the Report of an Election Judge declaring that any illegal practice has been proved to have been committed in reference to such election by or with the knowledge and consent of any candidate at such election, that candidate shall not be capable of ever being elected to or sitting in the House of Commons for the said county or borough, or of being elected to or sitting in the House of Commons during the Parliament for which the election was held, and if he has been elected his election shall be void; and he shall further be subject to the same incapacities as if, at the date of the Report, he had been convicted of such illegal practice."

Worse than that, Sub-section (*c*) of Clause 6 provided that—

> "Any payment or contract for payment on account of any committee room in excess of the number allowed by the First Schedule of the Act should be an illegal practice."

The candidate was not likely to break the law in that respect wilfully and with his eyes open; but, nevertheless, if he had one committee room too much, no matter whether it had been engaged wilfully and corruptly or not, he was liable to be found guilty of an illegal practice, all the words being carefully omitted which protected the candidate in regard to bribery or treating. The clause did not say that it must be done corruptly or wilfully; but the mere act of doing it on the part of an agent, even if it had been done by accident or by miscounting the number of committee rooms, made the candidate responsible. There might be 30 polling districts; and if, instead of having 30 committee rooms, there were by accident 31, away went the seat from the unfortunate candidate. He knew that he might as well preach to the winds as attempt to induce the Government to alter the clause; but, nevertheless, he considered it his duty to point out what the result of the clause, as it stood, would be to the candidate. It was not necessary that the act should be done corruptly or wilfully; but the mere fact that it was done, notwithstanding that it might be owing to some mistake or blunder, voided the seat. There was no power to make an application to the Court in order to convince the Judge that there had been a mistake. He was quite aware that there was a clause in the Bill later on—Clause 17—which gave power to the High Court and to the Election Court to except an innocent act or omission of a candidate or his agent from being made an illegal practice; but, according to the rule laid down by the Attorney General, he had no right to refer to that clause, as he was not to look at the whole of the clauses of the Bill together. Unless the Committee were determined to place a candidate in terrible jeopardy, they certainly ought to omit this sub-section, seeing that mere inadvertence on the part of the agent of a candidate in renting a committee room beyond the subscribed number might, in the end, unseat the candidate.

Amendment proposed, in page 3, line 27, to leave out Sub-section (*c*).—(*Mr. Lewis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. WHITLEY trusted that the Attorney General would accept the Amendment, and said, that on behalf of the constituents he represented he had considered it his duty to place an Amendment to a similar effect upon the Paper. It did seem to be a hardship upon the candidate that he should be subjected to the terrors of this clause in consequence of an unauthorized act or mistake committed by an agent. He could quite understand that the general object of the clause was to put down corruption, and that corruption might, in some cases, assume the form of a multiplication of committee rooms; but, at the same time, he thought that the object of the clause would be gained in a much better way by limiting the expenses. He was of opinion that it would not be necessary in every case to have the large number of committee rooms a candidate was entitled to have under the Act; but he thought the best way of meeting the difficulty would be to limit the expenses. It certainly appeared to be a very hard thing to interfere so very much with the details of an election. The object was to deal with corruption; but this clause certainly did not deal with corruption. It was a serious matter, indeed, in a borough with a very large population and some 50,000 or 60,000 electors, to say that the candidate should be deprived of his seat because one or two committee rooms too many had been engaged. He was quite sure the Attorney General really did not mean that, but that what he did mean was to put down corrupt practices and the undue multiplication of committee rooms; which object, however, as he (Mr. Whitley) had already pointed out, would be best secured by limiting the expenses. He was strongly of opinion that they ought not to interfere too much with the details of managing an election when there was a very large constituency to deal with.

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply to the observations of the hon. Member for Londonderry (Mr. Lewis), desired to say that he had not objected to the House discussing a clause of the Bill without reference to other parts of the measure; but he did not think it was necessary to discuss every part of the Bill upon every clause, and he therefore advised his hon. Friend to restrict his observations to one long speech, in which he could explain the nature of his objections, without continually going back again to the same points. What the Committee was discussing now was whether they ought to restrict a candidate from having more than a certain number of committee rooms. The Committee would be aware that it was a usual and constant mode of corrupting a constituency to go into a district and say, "We want committee rooms," sometimes as many as 300 or 400 being taken. The object of this sub-section was to prevent that from being done, because it was felt to be absolutely necessary that there should be a prohibition against engaging an excessive number of committee rooms. It was important that the Legislature should make a prohibition, and declare a certain act to be improper and illegal. The just and conscientious man would adhere to the law, and it was only the dishonest man who would attempt to obtain an advantage by doing the things he was prohibited from doing, and therefore it might be concluded that he did them from a corrupt motive. Prior to 1881, the dishonest man certainly obtained an advantage; and if these acts were now prohibited as illegal practices, it was necessary that they should see the prohibition properly enforced, or they had better not resort to it at all. It was their duty first to determine the nature of the act they intended to proscribe, and they could define and enforce the punishment afterwards. The question was, whether they were to prohibit the excessive engagement of committee rooms at all? If they did not, and if they virtually said that the candidate might have as many committee rooms as he liked, they might depend upon it the practice would be resorted to of waiting upon voters whose interest they wanted to get, and engaging his rooms as committee rooms, paying what they liked for them, and as a necessary consequence there would be no limit to the expenditure. He therefore thought that it would be better to insert in the Bill an absolute prohibition against engaging an excessive number of committee rooms. A mere act of inadvertence would be protected by Clause 17. They would come to the question of punishment shortly. He agreed with many of the observations made, especially those of the hon. Member for Liverpool (Mr. Whitley), who spoke with a peculiar knowledge of the subject. He (the Attorney General) had done all he could, on Clause 17, to prevent anything like injustice being done, and to prevent punishment following any inadvertence. He shared the wish of the hon. Member for Liverpool, that in a case of inadvertence there should not be so large a penalty as that which would follow an intentional act.

Sir R. ASSHETON CROSS said, the prohibition about committee rooms was in last year's Bill; and the expenses of the election were to be parcelled—so much was to be paid for such a thing, and so much for another thing. The Attorney General had now classed all the things together; and in his Bill he had provided that if a candidate kept within the maximum expenditure, he could spend the money as he liked. According to the scale which was put in the Schedule, it seemed that the amount of money a man could spend in committee rooms was very little indeed. It must be remembered that no one could hire a committee room except an election agent himself; so that, therefore, the matter was brought nearer the candidate than any other matter. The engagement of committee rooms was to be brought actually home to the election agent. He (Sir R. Assheton Cross) did not like to put a candidate in that position; and he could not help thinking that the balance of argument was entirely the other way. They had much better let the committee rooms go, as they had let printing. They might rest assured that no candidate would spend money in committee rooms unless it was absolutely necessary. He should vote for the Amendment.

Mr. BULWER said, he did not think the Attorney General had met the objection that had been raised by the hon. Member for Liverpool (Mr. Whitley). The hon. Member had pointed out to the Committee the opening that would be given to corruption in this matter. The Bill allowed a candidate to spend so many hundred pounds upon his election. Now, if a man had nothing but voluntary effort he would require no money at all; and the objection of the hon. Member for Liverpool was this—"If you are going to allow a candidate to spend £250—that is, according to your argument, to bribe to that extent—why should he not spend the money either in committee rooms or on agents?" He (Mr. Bulwer) was of opinion that it would be better not to draw any hard-and-fast line. He knew some places—his own constituency, for instance—where a committee room was not at all needed. In that case, he did not see why he should be prohibited from spending the money he was allowed to spend in committee rooms upon an extra agent to look after his interests. He thought the hon. and learned Gentleman the Attorney General had not done justice to the hon. Gentleman the Member for Londonderry (Mr. C. Lewis), when he asked him to make one long speech on the subject instead of a number of little ones. The hon. and learned Gentleman should remember that "*Gutta cavat lapidem, non vi, sed sæpe cadendo.*"

Mr. O'CONNOR POWER trusted the hon. and learned Attorney General would make no uncertain sound in opposition to this proposal. It was proposed that they should declare that a candidate might have as many committee rooms as he liked. It was to be penal to spend a few pounds in such and such a thing; but they were to be allowed to give 100 guineas, if they liked, for the use of committee rooms. Nothing could be more inconsistent. An undue hiring of committee rooms was one of the most flagrant forms of bribery that a candidate could indulge in. It seemed that after what the Committee had lately determined they would be acting with the greatest inconsistency if they adopted this proposal of the hon. Member for Londonderry (Mr. Lewis). At the last Election there was one small borough where there were only a few hundred electors, but where there were 13 candidates in the field. The two or three candidates who first arrived in the borough hired all the hotels in the town as committee rooms, and he (Mr. O'Connor Power) heard that when the fourth candidate went down he quickly returned, and excused his return by saying that there was no hotel accommodation, and he intended to go for another county in another part of the country. If that proposal were accepted, any rich candidate who was first in the field would be able to buy up every available space in the town in the name of committee rooms.

MR. LEWIS said, he was surprised that the hon. and learned Gentleman (Mr. O'Connor Power), considering his pretty keen acumen, had not appreciated the Amendment. According to the hon. and learned Gentleman's argument, it would be possible for a rich man to pay 100 guineas for an extra committee room out of the £350, the amount of his maximum expenditure. The hon. and learned Member, who was an enthusiastic admirer of the Government—[Mr. O'CONNOR POWER: I admire this Bill]—would not contend that they were not taking the Government at its word. Would anyone suggest that in the maximum scale provided by the Government there was any margin, large or small, which would allow 100 guineas to be paid for an extra committee room? It had always occurred to him (Mr. Lewis) that the way to get the Bill through Committee was to put forward the maximum Schedule, and pass that before doing anything else. When that was done, whether a man had one agent more than another, or an extra committee room, or an extra clerk, was utterly beside the question. The maximum expenditure not being capable of being exceeded, surely it was utterly immaterial how the money was spent, as the amount itself left no opening for corrupt practices. That common-sense view did not seem to have been taken. Why not fix the maximum expenditure, and let a man, if he fancied, have an extra committee room, or an extra agent? Why should not a man spend the money in any way he thought fit?

MR. W. H. JAMES said, he was anxious to give the Committee an illustration bearing upon that matter. The illustration was that of the Sandwich Election, and, of course, was very notorious. Now, in Deal and Sandwich there were 3,000 or 4,000 electors, and anterior to the election everyone who had a public-house received £5 for the use of a committee room. There were some proposals in the Bill which he objected to; but he considered that the proposal now made was eminently a reasonable one, and he should have thought that even the hon. Member for Londonderry (Mr. Lewis) would have supported it.

MR. A. J. BALFOUR desired to point out to the hon. Member for Londonderry that the clause, as it now stood, did afford some protection to the candidate; and it was in the candidate's interest that he (Mr. Balfour) would like to keep the clause unaltered. They all knew that whatever the maximum expenditure was, it was against the interest of the candidate to spend much money on committee rooms. The mere multiplication of committee rooms, except so far as it influenced the people who owned them, was of very little use to the candidate; and, therefore, when a demand was made upon a candidate to hire a room for the purposes of his committee, it would be a protection to the candidate to be able to say to the owner of the room, who it might happen was a very powerful constituent—"I am precluded, by the terms of this Bill, from having more than a certain number of committee rooms." Therefore, if he (Mr. Balfour) voted, as he intended to do, to keep this Bill in its present form, it was not at all on the ground urged opposite, but it was solely in the interest of the candidate, on whom pressure might be urged by some influential member of his constituency to do something which really would be detrimental to his own interest.

Mr. R. T. REID said, that supposing Sub-section (*c*), which made illegal the payment of money on account of any committee room in excess of the number allowed by the 1st Shedule of the Act were omitted, what was there in the Bill to prevent a Central Association from going down to any constituency, and, by paying out of their own funds, and not out of the funds of the candidate, engaging a large number of committee rooms, and thereby corruptly influencing the constituency?

Sir R. ASSHETON CROSS said, the answer to that would be that the moment a candidate, or his agent, went into any one of the committe rooms so engaged that committee room would be considered theirs.

Lord RANDOLPH CHURCHILL pointed out that in every constituency there were Conservative and Liberal Associations, and he had very little doubt whatever that these Associations would espouse warmly the candidate who belonged to their Party, although the candidate might not absolutely be connected with them or make them his agents. The Associations would, unquestionably, turn their club rooms into committee rooms. If a candidate entered one of the rooms of a Political Association, turned for the occasion into a committee room, would that be a infringement of the Act? That was a point which the hon. and learned Gentleman the Attorney General must consider. That was a point of great importance, and they ought to receive an explanation from the Government.

Mr. JOSEPH COWEN said, that the point raised by the noble Lord was fairly open to an answer from the Attorney General. Political Associations would, undoubtedly, play a very important part in elections for the future. He had not the slightest doubt whatever that electioneering plans would be formed in London and Birmingham, and that all the business of the contests would be done by Central Associations. A Liberal Association, for instance, might have several offices in a constituency. Would those offices be considered a committee room? Would a Conservative club room be considered a committee room? He (Mr. Cowen) knew some Liberal Associations which had an office in every ward in the town. Would those offices be considered committee rooms?

The ATTORNEY GENERAL (Sir Henry James) was understood to say that he hoped the Committee would relieve him from the necessity of settling the matter raised by the noble Lord (Lord Randolph Churchill) and by the hon. Gentleman the Member for Newcastle (Mr. Cowen). What were committee rooms, and what were not, ought to be left to the decision of the Judges who would be required to try any Election Petition, and who would have all the facts of the case clearly before them.

Mr. TOMLINSON said, that, after what the Attorney General had said, they ought to have no hesitation in supporting the Amendment of the hon. Member for Londonderry (Mr. Lewis).

Mr. A. J. BALFOUR said, the question was entirely changed by what the hon. and learned Gentleman the Attorney General had said. He had been prepared to support the hon. and learned Gentleman; but now it appeared the hon. and learned Gentleman was perfectly unable to tell them what would be a committee room and what would not. Indeed, the Attorney General thought it monstrous that they should even ask him whether or not a room hired by a Political Association could or could not be made into a committee room by the fact of its being used by a candidate, and said they must wait for the decision of the Judges; that was to say, they must wait until a certain number of candidates had fallen into the trap prepared for them in that clause. He (Mr. Balfour) supposed that some unfortunate candidates, who might use committee rooms provided by Associations, would find themselves unseated simply because the Attorney General refused to draw his Bill in a proper and straightforward manner. He (Mr. Balfour) now hoped the Committee would throw out the subsection, or continue the discussion until the Attorney General was prepared to give them a satisfactory answer.

Mr. H. B. SAMUELSON said, it had been stated that Associations might go down to constituencies, hire rooms, and thus corrupt those constituencies. To that the right hon. Gentleman (Sir R. Assheton Cross) replied that the very moment a candidate, or his agent, entered a room hired by such an Association the room would become the candidate's, and he would be liable for the consequences.

SIR R. ASSHETON CROSS said, that what he had stated was that if a candidate, or his agent, used the rooms as committee rooms, they would be regarded as their own rooms.

MR. H. B. SAMUELSON said, that if the Association came down with the object of corrupting a constituency and gaining votes, it would only be necessary for the candidates and their agents to abstain from going to the rooms and from using them as committee rooms; the voter owning the rooms would be influenced, but would be able to vote with impunity, and no punishment would accrue to anyone.

MR. CAVENDISH BENTINCK said, he thought it would be well to report Progress, in order to admit of a proper explanation of the intentions of the Government respecting the hiring of rooms by Societies. Agreeing, as he did, with his hon. Friend the Member for Londonderry (Mr. Lewis), he was particularly anxious to have this matter cleared up. It was a most serious matter, and ought not to treated lightly. There was nothing so uncertain as the law, and the hon. and learned Gentleman the Attorney General knew perfectly well that it was quite impossible to predict what the judgment of any Judge would be upon any particular point. It was highly necessary that if the hon. and learned Gentleman the Attorney General would not afford the required information now, he should undertake to do so hereafter. He (Mr. Cavendish Bentinck) did not believe the Bill would do any good to anybody. It was a mere waste of time to discuss it, and the consideration of the measure was occupying time which could be devoted to far more important subjects. At all events, if they were to spend time in the consideration of the Bill, let them come to something which was clear and definite.

LORD RANDOLPH CHURCHILL said, that this question had been raised quite incidentally and accidentally by a strong supporter of the Bill and a strong supporter of the Government—namely, the hon. and learned Member for Hereford (Mr. Reid), a Gentleman who possessed an acute legal mind, and who had asked the question of the hon. and learned Attorney General. The hon. and learned Gentleman, however, treated the question with disdain, as, in fact, he treated every question, unless it were backed up by a large number of Amendments. The right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) rushed in the breach and answered the question in a most positive manner; and certainly, if the right hon. Gentleman was right in his answer, the sub-section must be amended. There was another point he (Lord Randolph Churchill) wished to put to the Committee before this clause was disposed of. The clause, as it stood, provided that "no payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate;" and under it, they might now raise the whole question of the Political Associations. Political Associations were founded for the purpose of promoting the election of candidates. How did the clause bear upon the annual rent of the offices of Associations? [The ATTORNEY GENERAL (Sir Henry James) dissented.] If the Attorney General, instead of shaking his head, would speak openly and clearly, he would save a great waste of time. Political Associations, as a rule, had magnificent offices, and as candidates were not allowed to take more than a certain number of rooms, could the Attorney General answer a plain and simple question—namely, How did the clause bear upon the action of Political Associations in constituencies with respect of their occupation of temporary committee rooms for election purposes, and with respect to their position of permanent committee rooms? Another question he wished to put to the hon. and learned Gentleman was, what would be the exact position of the candidate if he, either for the purpose of his election or for influencing voters or ascertaining his chance of election, frequented those committee rooms or offices, and had interviews with electors, or with the members of the Association? Surely, it could not be called legislation to leave questions of that kind undefined. The Government were bound to give an answer as to what was the law on this question, and he hoped the Committee would not allow the Bill to go further until it received a proper answer.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL)) said, it would never have occurred to the noble Lord that there was any difficulty in this matter had it not been for the observations made by the hon. and learned Member for Hereford (Mr. Reid). The noble Lord was in error in saying that the hon. and learned Gentleman put a question to the Attorney General. The hon. and learned Gentleman simply said it in argument, and did not put it in the form of a question. He (the Solicitor General) did not think there was really any difficulty in the question that had been raised. It must be borne in mind that they were dealing with different things, and if they mixed them up they would create many difficulties. They were dealing with the question of the payment on account of committee rooms hired for the purpose of promoting or procuring the election of a candidate. [Lord RANDOLPH CHURCHILL: By anyone.] Certainly, by anyone. The hon. and learned Member for Hereford (Mr. Reid) pointed to the possibility of a private individual or an Association hiring a committee room for the purpose of promoting the interests of a particular candidate. A totally different question was the position of the candidate himself, who was only liable for what he did himself, or what he adopted as his own action. When they were asked to define all the facts which would make out a case of a man adopting, say, a committee room as his own, they might spend a whole day and yet not define such a case. The candidate in such a case was, of course, as responsible as if he had taken the room himself, and therefore he did not think there was any difficulty in meeting a particular instance; but that was a different thing from going into an exhaustive statement of everything that a person might do. He thought common sense would give them a more satisfactory answer to any particular case; but, as he had said, he was willing to prohibit and make illegal the hiring of committee rooms beyond the specified number.

MR. O'CONNOR POWER said, he thought the argument of the hon. Member for Hertford (Mr. Balfour), instead of being a reason why the Amendment of the hon. Member for Londonderry (Mr. Lewis) should be adopted, was really a conclusive argument against it. It seemed to him that if they were to interrupt this discussion when anybody wished to raise a question of interpretation, or if the Attorney General or Solicitor General were to be called upon to express an opinion upon a hypothetical state of facts, they would never get through the Bill. Yet that was what the Committee were required to do. It was like calling upon the Chairman or Speaker to determine a point of Order which had not arisen, and that seemed to him to be an irregular mode of discussion. The difficulty started by the hon. Member for Hertford was purely imaginary. The Committee had already declared, in a portion of the clause which had been passed, that any payment or contract for the purpose of promoting or procuring the election of any candidate, should be illegal, &c. Such a contract must be made within the limits of the regulations here set down, whether by an Association, or by two or three persons, or by the agent of a candidate. Nothing could be clearer than the language of the clause so far as they had gone; but they would have to put themselves in an imaginative frame of mind in order to deal with the imaginations of the hon. Member. He would try the experiment. There were in all large towns recognized officials belonging to the different political parties. Surely it was not to be said that if a Conservative or Liberal Member walked into a Political Club in Manchester, for instance, he was using the club as a committee room, and that the club was to be added to the number of his committee rooms, and he was to be charged with illegal practices because he had gone into the club. They might go on to imagine all kinds of cases of that nature, but it would not help them in this discussion. He would imagine again that the Conservatives or the Liberals were not content with the accommodation in their clubs, and that for the purpose of promoting the election of their candidates they hired other rooms—the moment they hired committee rooms distinctly to promote the election of a candidate they came within the scope of the clause to which the Committee had already agreed. That would then be a payment, or contract for payment, for the purpose of promoting an election. How did the Committee now stand? One would imagine that the hon. Member for Londonderry, and those who supported him, were in favour of restricting the privilege of a candidate in the choice of committee rooms; but the fact was, that they wanted to do away with all restrictions, and the argument was twisted from one side to the other until the Government were made to appear, for the purpose of debate, as desiring to extend the privileges of the candidate in this respect, while hon. Members opposite to them appeared as desiring to restrict those privileges. He did not see that any practical purpose would be achieved by a discussion on that principle. So far as they had gone they had expressed the purpose of the Committee in clear and intelligible language, and in order to be consistent they had only to insert Subsection (*c*), which would make the clause from beginning to end read with perfect consistency. If that were not so, he would appeal to hon. Gentlemen who had hitherto carried on this examination of hypothetical cases to come to the real issue in the matter and see what could be done.

MR. RITCHIE said, there were two separate questions. One was, whether if a Caucus or a Political Association took rooms in a borough the candidate should be held personally responsible if he went into those rooms? The other was, whether the Committee were going to restrict a candidate to the number of committee rooms he should have, and yet allow a Caucus or a Political Association to go into a borough and take any number of rooms which they might call offices? He did not agree with the hon. and learned Member for Mayo (Mr. O'Connor Power) that those rooms would come under the definition of committee rooms. In order to have a committee room there must be a committee, and if a Caucus sent down a number of people to take offices for any purpose they thought proper they would have no committee, but yet they would be working in the interest of a particular candidate. To allow that, while restricting the candidate, was monstrous under the Bill as it stood. There was nothing to prohibit this being done; and, therefore, he thought the Attorney General ought to agree to insert some simple words defining a committee room, and then it would be understood that no room was to be hired by any Organization except the number of rooms laid down in the Bill as committee rooms.

SIR CHARLES W. DILKE said, he thought he could meet the case just put by the hon. Member opposite (Mr. Ritchie). It had been decided, in very many cases, that it was not necessary that there should be a committee to constitute a committee room. There might be offices which would practically be committee rooms, and they would clearly come under the clause.

MR. A. J. BALFOUR said, it seemed to him that that statement made the Bill no better. Anything more unreasonable than the attitude of the Government, except the view of the hon. and learned Member for Mayo (Mr. O'Connor Power), he had never experienced. The hon. and learned Member appeared to think it criminal to put forward hypothetical cases; but it seemed to him that the only way in which the operation of the law could be decided was by hypothetical cases. The Solicitor General had shown, with a certain amount of force, that the candidate himself would probably not suffer under this clause. That might or might not be the case; but he wished to know whether a Caucus or Political Association would come under the clause? The right hon. Gentleman the President of the Local Government Board had said that a committee was not necessary to constitute a committee room; but would the room of a Political Organization be a committee room or not, supposing the room to be used, as it certainly would be, for the promotion of a particular candidate whose politics agreed with the Organization? The candidate went into a borough, and on his own behalf hired as many committee rooms as the Act would permit; but in addition to this there would, unquestionably, be the office of the various Political Organizations in the borough. Those would be, unquestionably, for the pupose of promoting an election, and, of course, in excess of the number allowed by the Act. Would they constitute an offence under the Act; and, if so, did the Attorney General mean to punish such an act with the severity which the Bill at present proposed? Did he mean to say that an election would be voided because, in addition to the committee rooms hired by the candidate, there were these permanent offices of the local Associations? If that was a hypothesis, so visionary and wide that it was unreasonable to ask the Government to contemplate it, he did not see how they could properly carry on the discussion at all. The Attorney General must see that they could not consent to keep this proposal in the Bill until they had had a clear statement from the Government as to whether such rooms were to be committee rooms within the meaning of the Act or not.

Mr. LABOUCHERE said, there were cases perfectly well known in which there were several Clubs in the town, and an Association with a permanent room in every ward and every part of the town. Where those to be considered committee rooms or not? If the candidate did not go into them, the electors did, and the Association took part in the election; consequently, the members of the Association became agents of the candidate. If, including the number of rooms which the candidate took himself with these permanent rooms, the total allowed by the Bill was exceeded, the candidate apparently would be held responsible. He spoke with some feeling upon this subject, because a misguided Election Committee of this House once turned him out of the House on the ground that he had too many committee rooms.

Mr. LEWIS said, he thought that if anything would justify his objection it was this discussion, because, even after the speeches of both Law Officers of the Crown, the Committee was still left in doubt as to what was the meaning of a committee room, and what was likely to be the interpretation by the Judges of that term. Suppose a candidate did what most candidates, or most hon. Members, at present did—namely, subscribe to a Registration Society in a borough, and suppose that Society had three or four officers or sub-officers, was there the slightest doubt that during the election those rooms would be used by voters for the purpose of the election? They would go to see if their names were on the register, and where they were to vote, and so on. How would it be possible for a candidate to escape responsibility unless there was some definition in the clause as to which was payment, or contract for payment, for the purposes of promoting or procuring the election of a candidate at an election on account of committee rooms in excess of the number prescribed by the Bill? What need was there for surrounding candidates with all these dangerous problems and pitfalls, when there was ample opportunity of preserving purity of election by fixing the maximum expenditure? The Government insisted that the Committee must go into all these details; and then, when they were asked to give a definition of a committee room, they said—"Leave it to the Election Judge." What did that mean? That meant waiting until some Members were unseated and prohibited from sitting for the same constituencies ever again. That was a very callous way of treating this very serious question, and it was wholly unnecessary, because they had only to fix the maximum to avoid all these difficulties.

The ATTORNEY GENERAL (Sir Henry James) said, he should be very happy to answer any question; but there was great danger in answering questions based on hypothetical facts. It appeared to him that if an Association were formed in a borough, not for the purpose of a particular election, but for carrying on the interests of a political party, the rooms of that Association would not have any relation to the candidate, and the use of the rooms during an election would not be payment, or contract for payment, for the purpose of procuring an election. Rooms taken in that way by an Association would not be committee rooms, more than would the house of a resident in the borough be a committee room if it were allowed to be used during an election. On the other hand, if an Association went down to a borough at an election time and took rooms, that step would come under the clause, because the rooms would be for the purpose of promoting a particular candidature. Was not this a question of degree? How were they to define it and draw a hard-and-fast line, and say in one case the improper use should come under the clause and in another it should not?

Sir HENRY SELWIN-IBBETSON said, he did not wish to delay this question unnecessarily. At the same time, he saw grave danger surrounding the unfortunate candidate of the future, especially through the enthusiasm of some of his supporters. As he understood the clause of the Bill, a candidate who had got the full number of rooms to which he was entitled would be liable, on account of the zeal of his supporters, for the use of any room in excess of the number specified. He thought it would be hard upon a candidate if an election was declared void through the act of supporters of that kind, who practically became agents for his election.

MR. JOSEPH COWEN said, he thought the limitation would be no use at all, because there were hundreds of ways of evading it.

MR. BOORD suggested that the Attorney General should insert words in the Definition Clause to explain what was meant by a committee room.

MR. O'CONNOR POWER said, he thought the arguments advanced all led to more stringent provisions. If it were necessary, in the opinion of some hon. Members, that an Association should be fettered as well as a candidate, they had better have a provision to that effect; but they were not now discussing the action of Associations. They were discussing what payment, or contract for payment, should be legitimate under certain circumstances. But if it were necessary to fetter voluntary efforts of Associations, that was a different question altogether; and hon. Members were pushing this argument so far that when the Government had carried this clause they would have to frame other clauses forbidding Associations to place their offices at the disposal of a particular candidate. But where were they to stop? Everybody would be fettered all around if the arguments were pushed to their natural conclusion. But he apprehended that that was the very last thing which the hon. Member for Londonderry (Mr. Lewis) desired. That being so, he hoped the hon. Member would not press the rejection of Subsection (*c*). The point before the Committee at present was, whether Subsection (*c*) should not stand? In order to arrive at a confident opinion on the subject they ought to read the clause with the sub-section, and then see how it stood; and then read it with the subsection left out, and see how it then stood. By reading the clause with the sub-section in, the clause would read more consistently with the determination at which the Committee had already arrived; but if it were necessary to go further than the clause contemplated, and as the arguments of hon. Members indicated, then they must have a new clause dealing with the actions of Associations; and he was just as willing to prevent bribery and corruption by Associations as by candidates. But there was no proposal of that kind before the Committee, and until there was he should vote against the Amendment.

MR. BULWER said, he could not agree that it was unreasonable for hon. Members, when they were asked to say that a certain sum of money should not be spent in hiring committee rooms, to desire to know what a committee room was. That question was very properly put to the Law Officers; and he thought they might have given, not an exhaustive answer, but an answer to one specific question. If there was a political Association in a borough and half-a-dozen different rooms where the members met for political purposes, and those rooms were used by the candidate for election purposes, would those rooms come within the section? That was a very proper question; but what was the answer? The answer of the Attorney General was that if these rooms were hired by annual payment by the Association, and were put at the disposal of the candidate during an election without payment by or from him, they would not be committee rooms, because they would come within the definition of voluntary effort.

THE ATTORNEY GENERAL (Sir HENRY JAMES): I did not say that. I said there would be no payment, or contract for payment, for the election.

MR. BULWER ventured to differ from the Attorney General, and to hold that there would be payment, and contract for payment, by a political Party for political purposes—one of which was the return of the candidate at the election—to the person who owned the house. He did not think the Committee were at present very much enlightened; and he agreed with hon. Members that they had better leave the clause out, if such a case as had been mentioned were not to come within it, because they might drive a coach and twelve through a sub-section like this, which would allow a political Association to hire a room in a house, and place it at the disposal of the candidate with impunity, because, forsooth, there was no payment, or contract for payment, for that election in particular.

CAPTAIN AYLMER said, the subsection called upon a candidate to do what the Attorney General distinctly said the candidate should not do if he wished to avoid illegal practices. The Attorney General held that if other people than the candidate were to hire rooms to assist in the election that was not to be prevented. Take the case of a county election. In every village there was a committee room during the election. Under this Bill a candidate would have to limit the number of committee rooms as fixed by the Bill. But many villages would not do with that number, and they would club together and pay for committee rooms, and yet the Attorney General would hold that they were to be considered committee rooms and forbidden. Because such rooms were hired to promote his candidature, how was a candidate to be made liable for illegal practices? That was the position in which the Attorney General put the Committee—calling upon the candidate to do what the Attorney General said he could not do.

The ATTORNEY GENERAL (Sir Henry James) said, it was hard to be misrepresented. He had never said that at all. There was nothing in the Bill to the effect suggested by the hon. and gallant Member.

Mr. GREGORY said, he thought it would be convenient if the Attorney General would give a more specific definition of what he meant to provide against as the clause stood. The definition was—

> "For the purpose of promoting or procuring the election of a candidate at any election;"

therefore, a committee room, which was maintained for the purpose of, or with a view to, an election, might be construed as coming under the clause. That, however, he understood, was not what the Attorney General intended; and he would suggest after the words "committee room" the insertion of the words "for the purposes of an election." That would distinctly connect the committee room with the particular election, and would prevent difficulty in the interpretation of the clause.

Sir JOSEPH M'KENNA said, he wished to know, if an Association of a permanent character in a constituency was to have power to keep open a committee room during an election time as well as at other times, how was a candidate, who was to be restricted by this Bill in the number of his committee rooms, to prevent the action of the Association? The Bill was designed for the purpose of correcting and restraining the action of injudicious or unprincipled friends of a candidate, and to prevent their spending money on a particular occasion; but there should be some cover to the application of the principle to a particular individual, and it should be made unlawful for a chronic organization in a constituency to do that particular thing by a number of people which was prohibited on the part of one individual. If the Attorney General would give some indication that he would proceed in the direction of checking the action of an organization, whether chronic or occasional, that would be satisfactory. If he would make the law stronger against chronic organizations acting on behalf of a particular candidate he should be happy to support him.

Mr. SALT said, he thought one or two words would probably meet the views of the hon. and learned Gentleman, and also, to a great extent, the views of the Committee. He thought this sub-section, except for one particular purpose, was almost unnecessary in the Act. It seemed to him that it touched a question quite outside the Schedule, which referred to the expense to which a candidate was limited. The sub-section really dealt with another matter, and that was the possibility of some person or organization taking a number of committee rooms without the knowledge or consent of the candidate; and then arose the question whether, under these circumstances, the candidate himself would in any way be injured? It was not intended that the candidate should be injured if such an organization was carried on contrary to his wishes and consent. That he took to be the intention of the Attorney General. Therefore, he thought if they introduced some words into this sub-section, making it clear that the sub-section dealt with that particular offence outside the action of the candidate, and only that offence, the Committee would be satisfied. If the sub-section could be enlarged by some words saying that no committee room should, under any circumstances, be taken for the purpose of any election, except by the actual consent or action either of the candidate himself or the authorized agent, the matter would be tolerably clear, because any person who took such action would directly bring himself under the imputation of illegal practices; while, on the other hand, a candidate would be free, because he would be able to show that he had given no authority for such action.

The ATTORNEY GENERAL (Sir Henry James) said, he would make one more attempt to meet hon. Members. There was nothing in the Act to make a candidate liable for any act, unless it was done expressly by himself or his agent. The hon. Member (Mr. Salt) had put the case where, without the knowledge of the candidate, a person took committee rooms. It was not intended to make the candidate liable in such a case; and a reference to Clause 10, Sub-section 1, would show that the candidate must be guilty, by himself or his agents, of illegal practices, and that any action was with the knowledge and consent of the candidate.

Lord RANDOLPH CHURCHILL said, that practically conceded the point raised on that (the Opposition) side of the House.

Mr. NEWDEGATE said, the Attorney General's view was that the candidate was not to be held responsible for acts not authorized by himself or his agent; but he himself wished to carry the principle of personation a little further, and to make the person who committed such actions more distinctly liable to the penalties of the Bill.

Viscount FOLKESTONE suggested the desirability of some way or other defining what an agent was. An election could not be worked by one paid election agent, and there must be volunteers.

The CHAIRMAN: There is no reference to election agents in Sub-section (*c*).

Viscount FOLKESTONE said, what he meant was, that if they had some provision as to who might take a committee room and who might not, the difficulty would be removed.

Lord RANDOLPH CHURCHILL said, the Attorney General ought to be more careful in this matter. One of his (the Attorney General's) own Colleagues, the present Chancellor of the Duchy of Lancaster (Mr. Dodson), having been unseated for corrupt practices at Chester, managed, by an arrangement which came very near a corrupt practice, to get returned for another borough. Why was the right hon. Gentleman unseated for Chester? Because, in the opinion of the Judge, he had allowed a Liberal Association to become his agents. That might happen again. Under this Bill the penalties were so strict that it would be advisable for a candidate to have nothing to do with an Association. If a candidate made use of an Association every one of the members became his agent, and he would be landed in one of the pitfalls of this Bill. But if, in order to keep clear of an Association, a candidate had only his own committee room, the Association also, to keep clear of him, would have other committee rooms and offices. There were certain matters connected with elections upon which a candidate must consult local Associations and local persons. They were the only people who understood and attended to registration. On all questions connected with an election a candidate must be in frequent communication with those persons; so that, although he might keep clear of the committee rooms of the Association, still those communications would go on to a considerable extent. Was that a use of the offices of an Association which would bring the candidate under this Bill? Then there was another point in the interest of the Associations themselves. Suppose they took committee rooms as well as the candidate, and that was declared by the Judge to be illegal, every one of the persons engaged in such a proceeding would become liable to a penalty of £100, and incapacitated to vote for five years. For that reason they should be extremely careful in this Bill to point out how and upon whom such a liability would fall. Everything that had fallen from the Attorney General had studiously avoided making that matter clear. [The Attorney General (Sir Henry James): The noble Lord was absent when I gave my answer.] He had certainly listened to two explanations, and did not expect a third. As to one of the explanations, the Attorney General seemed to exercise all his ingenuity to avoid giving a clear answer to a plain question. In the interest of Liberal and Conservative Associations and candidates it was necessary to make it clear who would be liable to penalties.

Mr. ECROYD said, the Attorney General had clearly explained one of the two difficulties felt in regard to this matter; but the other he had not so clearly solved. It was quite understood that a candidate was strictly limited in regard to the number of committee rooms which he might engage by himself or his agent; but then a candidate might be merely the Representative of some central Association at a distance, and in that case it would not be the slightest use to place a limit upon what he might do directly, if he were not limited as to what he might do indirectly. The Association of which he was a Representative might maintain permanently, through affiliated Associations, at an expense of £500 or £1,000 a-year in the borough in question, a number of offices which would practically be committee rooms; and the expense of these rooms, although excluded from the purview of the Act, might make elections in reality more expensive than they had ever been. He wished to know whether it would not be possible for an Association, acting in this manner in the interest of such a candidate, virtually to increase the candidate's committee rooms for the purpose of his election?

Mr. MACFARLANE said, the difficulties under which candidates in future would labour by this Bill had been so often referred to that he did not propose to discuss them, except to make a suggestion for future candidates. He would recommend any future candidate to place himself under the instructions of Mr. Howard Vincent, and then go to a borough, have no committee, take no committee room, appoint no agent, have no supporter, devote himself to watching the other candidate, and then petition the House for the other candidate's seat. A Petition against the return of a candidate would be certain to succeed. There were so many pitfalls in the Bill that it would be impossible to avoid all of them.

Mr. CALLAN said, he wished to know from the Attorney General what constituted a committee room? He had had some little experience in elections, and he would give an illustration of what he meant. Meetings of the county electors were generally held in a large room in some town, for which purpose the place was hired temporarily. Probably it would only be hired for one day for a meeting of the county electors, and there would be an ante-room for the clerks, with a list of voters, who would be engaged in making the usual arrangements for an election. Even that room was occupied only for two days during the progress of a county election.

There was another room where the responsible committee of the candidate met, and it was there that the real business was done. That room was engaged at the beginning of an election and held by the candidate all through. It was what was generally known as a committee room, and as a room of call for all the friends of the candidate. If that was what was meant by the term "committee room," then it was only fair that there should only be one in the district. What he wanted to know was, whether, if he engaged a room temporarily, in order to meet and address some 400 or 500 electors, was that to be considered a committee room? Or, on the day of election, having what was called a "tally room" near the polling place, where the electors went and gave information, was that a committee room? He had always felt himself to be at liberty, on the day of the polling, to engage more than one room; but all throughout the election he had only one room. Was he to be precluded from hiring a large room for the purpose of addressing 300 or 400 electors, and a tally room to which the voters could go and receive their cards before going to vote? If so, then he contended that the only way for a candidate to make himself safe and secure was to follow the advice of the hon. Member for Carlow (Mr. Macfarlane). He trusted the Attorney General would condescend —although he did not know that the hon. and learned Gentleman would condescend to a mere Irish Member—to state what it was that constituted a committee room?

Mr. TOMLINSON asked whether, in the event of a house being taken for the purposes of an election, each room in it would constitute a separate committee room?

Question put.

The Committee *divided*:—Ayes 214; Noes 122: Majority 92.—(Div. List, No. 153.)

Mr. JOSEPH COWEN moved, at the end of the sub-section, to add the following words:—

> "Any person who shall lend his own carriage, or hire or provide other carriages to convey voters to or from the poll shall be guilty of an illegal practice, but this shall not prevent any person using his own carriage for the conveyance of himself and any other person in company with him to vote."

The hon. Gentleman remarked that the Attorney General had more than once in the course of the discussion asked Members of the Committee not to repeat arguments which had already been stated; and the hon. and learned Gentleman had expressed a natural desire that time should not be unnecessarily wasted in discussing the same points over and over again. He would endeavour to comply with the request of the hon. and learned Gentleman, and not repeat arguments which had already been adduced. The question of conveying voters to the poll was discussed at considerable length last night; and the Committee arrived at the decision that the candidate should not be permitted to hire carriages for the conveyance of voters to the poll. What he wished to do by the present Amendment was to give that decision a logical sequence. He thought the Attorney General had proved, as far as he was concerned, that he was sincere in regard to the main object of the Bill—namely, the reduction of the cost of elections, so as to afford to men of moderate means an opportunity of finding their way into the House of Commons. That being one of the main objects of the Bill, he believed that the provisions of this clause, as they now stood, would have the very opposite effect to that which the Attorney General intended they should have, because they would interpose a barrier in the way of the man of moderate means rather than help him. In the event of a man of moderate means contesting the representation of a constituency with a rich man, the latter, if not able to hire carriages himself, would be able to utilize the carriages of his friends. The man of moderate means, therefore, would be placed in a disadvantageous position if the clause were passed in its present shape, because he would be prohibited from hiring carriages, and his friends and supporters would not be in a position to supply them; and, consequently, he would be debarred from their use altogether. That would be a distinct disadvantage, which the man of moderate means would be placed under. In discussing the Bill he presumed they were to discuss it from their own knowledge, and to illustrate it by their own experience. He knew that a large manufacturer or a colliery owner not only possessed conveyances of his own, but others which he used in his business; and a candidate representing such interests would be able to obtain the use of conveyances to any extent, and in that way to swamp the man of moderate means. It was with a view of preventing a circumstance of that kind that he submitted the Amendment. It was said last night that it would be ridiculous to attempt to prohibit a man from using his own carriage in going to the poll. He had never had any idea of prohibiting that. A man would necessarily be allowed to use his own carriage; but that was not the point at issue. They all knew that before an election took place — just before the polling day was fixed—circulars were issued to the friends of the candidate all round, asking them how much carriage accommodation they could supply. The request was generally couched in this way—" How many carriages could you afford to place at the disposal of the candidate on the polling day?" The consequence was that one person would offer to supply 10, others two, three, or four; and it was against that practice that the Amendment was aimed. The Attorney General, or the Committee, might say that this was an interference with the liberty of the voter, and of the candidate. Of course, it was an interference with the individual liberty of the candidate and of the voter; but they had interfered very largely with personal liberty already. Their work was to interfere with personal liberty; and never had there been a Parliament which had interfered more with personal liberty than the present one, and in a way that was never before dreamt of by legislation. They had already interfered to prevent the candidate from giving reasonable refreshment to his friends on the day of election; they had carried out that and many other points against the individual liberty of the candidate; and when he asked in this Amendment to prevent a person from lending his own carriage, or hiring other carriages, to convey voters to the poll, by providing that if he did so he should be guilty of an illegal practice, he was only going a very little step further than the Bill went already; and he was, in reality, giving the decision arrived at yesterday a logical sequence. Without further remarks, he would move the Amendment which stood in his name.

[*Tenth Night.*]

Amendment proposed,

In page 3, line 28, after the word "Act," to insert the words:—"Any person who shall lend his own carriage, or hire or provide other carriages to convey voters to or from the poll shall be guilty of an illegal practice, but this shall not prevent any person using his own carriage for the conveyance of himself and any other person in company with him to vote."—(*Mr. Joseph Cowen.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, his hon. Friend had stated that he would use no argument which had been already used in support of his Amendment, and he was bound to say that his hon. Friend had kept his promise. He (the Attorney General) thought he fully understood the views of his hon. Friend and of the hon. Member for Wolverhampton (Mr. H. H. Fowler), who had expressed similar views upon this subject. He was bound to say that, to some extent, he shared the opinions of his hon. Friends; but, at the same time, it was necessary to look at the question practically, and to consider what the result would be of adopting the Amendment. The prohibition to convey voters to the poll in carriages was, no doubt, a comparatively small matter; but in some constituencies it had been converted into a corrupt practice. He did not think it would be practised to a very large extent in many constituencies; but it certainly might be done in a form which would constitute it a corrupt practice. The Committee ought to consider the effect upon two different candidates. One person might be able to pay for the hire of carriages and the other might not; and, therefore, this prohibition was mainly intended to check excessive expenditure. When they recollected what the cost of a contested election was, every one of them would be glad to see the expenditure diminished by taking off the expense of conveying voters to the poll. He was very much afraid that hon. Members had hitherto been in the habit not only of paying large sums for what they got, but also for what they did not get. Therefore, the evil to be dealt with was the question of expenditure. There could be no absolute corruption in the employment of a carriage; and the Amendment of his hon. Friend (Mr. Cowen) did not attack that proposition, because it said that the voter might go to the poll in his own carriage, and that he might go in a carriage that was not his own, providing that the owner of the carriage which conveyed him was himself going to the poll to vote. All that would be legal under the Amendment. All that the hon. Member asked was that the voter should go in the same carriage with the owner of it. [Mr. JOSEPH COWEN: And vote.] Yes; and vote. He presumed his hon. Friend was not prepared to say that such persons should vote early and often; but what the Amendment did say was that it should be perfectly permissible for the owner of a carriage to take another person with him to the polling booth to vote. Now, the Committee would fully understand who that person would be. It would not be the man whose vote was known, but the doubtful voter—he thought he heard some hon. Member "the shaky voter." He fancied he could see his hon. Friend arguing with a man of that kind in his own carriage all the way to the poll. The acceptance of the Amendment would lead to serious difficulties; it might be used as a weapon to give great advantage to one particular candidate. It would be almost impossible to prevent the friends of a candidate from voluntarily supplying his Party with carriages. It would be as difficult to stop voluntary effort of that kind, from whatever source it came, as to stop one man from using his eloquence, or another writing able letters to the newspapers on behalf of a favourite candidate. It was all voluntary effort; but there was no doubt that the person on whose behalf this voluntary effort was used had a great advantage. In the same way, he admitted the advantage to be derived from the use of carriages voluntarily lent, and it was said that it would be of more advantage to one Party than to another, because one candidate would have more carriages at his disposal than another; but, at the same time, it must be borne in mind that a good many of the urban voters would not wish to be carried to the poll at all, and would entertain rather a hostile view than otherwise of this kind of provision. He hoped they would come to a speedy conclusion upon this matter. He could not, however, think of accepting this Amendment.

MR. LEAKE said, before they went to a Division, the Committee would, perhaps, permit him, as the Representative of a large constituency—South - East Lancashire — deeply interested in the matter, to offer a few observations. The Committee, on both sides the House, had resolutely set itself to check corruption and to abate expense. It had already determined that no carriages should be hired for the purpose of conveying voters to the poll; and they were now engaged in considering what the effect would be if private carriages were used on election days. The terms of the Amendment which he had put on the Paper would show that he was very much in sympathy with his hon. Friend (Mr. Cowen), although his proposition did not impose quite so rigorous a prohibition as that of his hon. Friend. They had to look at the question of the conveyance of voters from two aspects—firstly, as a bribe—["No!"]—it was a minor aspect, no doubt, but it was one from which the question ought to be viewed; for if a man was promised that he should ride in a private carriage, the promise could fairly be considered a bribe; indeed, he thought that if the right hon. and learned Gentleman who had expressed his dissent (Mr. Cavendish Bentinck) offered his carriage to an elector, he would do so in the expectation that the man would be influenced thereby. Again, they had to look at the matter from the pounds, shillings, and pence point of view. When an effort was made, on the part of an election committee, to obtain private carriages, the opposite side was immediately greatly concerned; it supposed that something was being done which would be fatal to its chances of success. One Party might not be able to command so many carriages as the other; and there came, therefore, a great temptation at the hour of conflict to induce those carriages to come to their side, which did not voluntarily come. There was no man ignorant enough in that Assembly not to understand how the thing was done. They knew perfectly well that if one Party saw a large number of carriages employed on the other, it would move heaven and earth, and probably something worse, to obtain a counterbalancing advantage. Now, if they could prevent the employment, on the day of election, of anything in the shape of a private carriage, limiting the use of a carriage to its loan by one friend to another, and to that friend only, they would, he believed, have purer elections, and quieter elections; they would have the pure spirit of political feeling in the country exhibited, and that only. At present, it was undoubtedly true that an election was won by energy and determination; the Party which was most energetic, most determined, and strongest in conviction, won, but with meaner aids and influence brought into the field, either corruptly or otherwise. He would remove the temptation to use these meaner influences. Therefore, whilst not having proposed anything so strong as the Amendment of the hon. Gentleman (Mr. Cowen), he should go with him into the Lobby on this occasion.

MR. RYLANDS said, he wished the Committee seriously to consider the question which was now before it. His hon. and learned Friend the Attorney General seemed to think there was a difficulty in interfering in this matter, because it was so kind and manly on the part of one elector to offer his conveyance for the use of another elector. It was not intended by this Bill to interfere with a kind act; but the very principle of the Bill was to interfere with many actions which might be kind, but which, nevertheless, might be corrupt. It was quite evident that a man might entertain a friend at the time of an election, and he might do it under circumstances which would bring him under the provisions against treating. They held that they would not allow anything of the kind. He put it to the Attorney General, did he not know that under this Bill, as it at present stood, any person might purchase additional carriages for use during a given period? They would become his own carriages; and, in fact, he saw no reason, under the Bill, why it should not be done. It was a very serious point, and worthy the consideration of the Committee; because if they wished to put down corruption they must take care not to leave a loophole which would tend to give opportunities for corruption. They had to deal with the fact that a certain number of persons owned private carriages or other conveyance; and those persons clearly under the Bill would place their carriages or conveyances at the disposal of the Committee for the purpose of bringing up voters without receiving payment. He, however, contended that persons could purchase carriages, that they could become owners of carriages, for the express purposes of an election, and there was nothing in the Bill to prevent it. Yesterday, he gave an instance that came within his own experience. In the borough of Warrington, in 1868, his election was seriously imperilled by the fact that a number of conveyances were used by his opponents, conveyances which were lent for the purpose of the election. The Committee must remember that, with regard to all elections, they had to deal with rich people—people owning carriages; and it seemed to him that if the Government were really in earnest to put a stop to the conveyance of voters, they must put a stop to the employment of private carriages.

VISCOUNT FOLKESTONE rose amidst cries of "Divide!" He said, he thought he was entitled to say a few words on this matter, considering that all the talk on the clause had come from the opposite side of the House. He was perfectly ready, when the Motion was first put from the Chair, to go to a Division; but since then arguments had been used which certainly demanded an answer. The hon. Member for South-East Lancashire (Mr. Leake) did not seem to have a very grand idea of the independence of voters; because he considered, and he told the Committee so, that the mere fact of riding in a gentleman's cariage was likely to influence the vote of an elector. Such was not his (Viscount Folkestone's) opinion; indeed, he considered the assertion of the hon. Gentleman perfectly unnecessary. He believed that electors, no matter to which Party they belonged, were sufficiently independent not to be influenced by the fact of being conveyed to the poll in someone's private carriage. They might take a horse to the water, but they could not make him drink; they might take a voter to the poll, but they could not make him vote which way they liked. A man would vote which way he pleased; and, what was more, it was impossible to ascertain how he did vote, unless he himself vouchsafed the information. The hon. Member for Newcastle (Mr. Cowen) might take a voter to the poll in his carriage, and unless they had found the means in Newcastle of breaking through the secrecy of the ballot, the hon. Gentleman could not know how that voter was going to vote. It was the experience of a great number of Members in the House that they had conveyed a number of voters to the poll, and that it was very likely as many as one-third of those voters so conveyed had voted against them. The whole question was ridiculous, because anybody who was sufficiently popular would be able to get a conveyance to the poll if he required it.

MR. CALLAN, who also rose amidst cries of "Divide!" said, he happened to have constituents as well as the hon. Gentlemen who were howling on the other side of the House, and he had a right to state what he believed was essential for his constituents. Now, the county he represented—Louth—was very mountainous; and in one polling district, out of 190 voters and upwards, there were a great many who had no vehicles whatever, and 50 of them resided more than five or six miles from the polling station. Some of them were 90 years of age; and how could they be expected to go to the poll if a candidate was prohibited to provide a vehicle for the use of such voter? Were the Committee going to prohibit a neighbour, or a friend, or a candidate's friend, sending their own private carriage for the use of a particular voter? If they did it would be a monstrous injustice. To call upon some men to walk four or five miles, perhaps in inclement weather, to vote was to practically disenfranchise them. Some of the constituents of the hon. Member for Cavan (Mr. Biggar) would have a walk of seven miles to the polling station if this Amendment was carried. Certainly, the men of Cavan would put themselves to sore straits to vote for his hon. Friend. None of them would vote for a Whig. They detested and hated English Radicals and Whigs so much that if a four-in-hand were sent for them they would not support a man who professed to belong to either of those Parties. He (Mr. Callan) had no doubt, however, that so degraded were some of the voters in the Radical districts in England, that if a gentleman sent his carriage for them they would be induced to vote black was white. It was possible that the prohibition of the use of conveyances would practically disenfranchise a most unworthy and degraded body of electors in England. Such, however, was not the case in Ireland. No matter how many carriages were sent for the electors, they would always vote for the Nationalist candidate. He was, therefore, anxious that they should provide honest and patriotic electors with a free conveyance to the poll.

MR. MONTAGUE GUEST urged upon the Attorney General the importance of this Amendment. His noble Friend opposite (Viscount Folkestone) had said just now that he did not think the conveyance of voters to the poll had influenced the vote of a single man. It, however, stood to reason that those who had got the greatest number of carriages were certainly able to bring up to the poll the greatest number of voters. If the election was to be pure, an engine of corruption ought not to be put in the hands of one candidate who could afford to employ it, as against the candidate who could not so afford. Under the circumstances, he (Mr. Guest) thought voters should be allowed to find their own way to the poll. It generally happened that one candidate obtained the sympathy of those who had a large number of carriages. If those carriages were placed at the disposal of the candidate it might possibly happen that he owed his election to their employment. He (Mr. Guest) trusted the Attorney General would fall in with this Amendment.

LORD RANDOLPH CHURCHILL said, he was dissatisfied with the whole conduct of the Government this afternoon. The question of carriages was discussed at great length yesterday, and it was understood that the Government would be prepared to make some suggestion on the subject with respect to the increase of the number of polling stations. If they were going to prohibit carriages entirely, as the hon. Gentleman the Member for Newcastle (Mr. Cowen) wished them to do, the Government must be prepared to bring up a new clause to provide that there should be a polling place within easy reach of every voter, so that a voter might neither have to go a long distance to the poll, or take up much of his time in exercising the franchise. The hon. Member for Newcastle wished to accomplish what was almost impossible. He (Lord Randolph Churchill) did not think they could so far fetter the liberty of the subject as the hon. Gentleman seemed to desire. He understood from the hon. Gentleman's Amendment that it would not be legal for a man to convey a friend to the poll. ["No, no!"] Well, that was how he read the Amendment. It was—

> "Any person who shall lend his own carriage, or hire or provide other carriages to convey voters to or from the poll shall be guilty of an illegal practice, but this shall not prevent any person using his own carriage for the conveyance of himself and any other person in company with him to vote."

Anyhow, he must say that the Amendment was very obscurely worded. It appeared that if he (Lord Randolph Churchill) was in his own carriage, he could convey the hon. Member for Newcastle (Mr. Cowen) to the poll; but if he did not wish to return, he could not send his friend back in the carriage.

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Thursday.*

SELECTION.

Leave given to the Committee of Selection to make a Special Report:—

Sir JOHN MOWBRAY accordingly *reported,* That they had discharged the following Members from the Standing Committee on Trade, Shipping, and Manufactures:—Sir ROBERT CUNLIFFE, Mr. ECROYD, Mr. WILLIAM EDWARD FORSTER, Colonel KINGSCOTE, Mr. STANHOPE.

And had appointed in substitution:—Mr. ALEXANDER BROWN, Mr. H. T. DAVENPORT (Staffordshire, North), Viscount FOLKESTONE, Mr. GRAFTON, Mr. LEAKE.

Report to lie upon the Table.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 27*th June*, 1883.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Electric Lighting (Provisional Orders) * [216]; Electric Lighting (Provisional Orders) (No. 2) * [217]; Electric Lighting (Provisional Orders) (No. 3) * [218]; Irish Reproductive Loan Fund Act (1874) Amendment [39]; Infectious Diseases Notification [100] [House counted out].

Withdrawn — Imprisonment for Debt [79]; Banking Laws (Scotland) [78].

ORDERS OF THE DAY.

IRISH REPRODUCTIVE LOAN FUND ACT (1874) AMENDMENT BILL.

(*Mr. Blake, Mr. O'Kelly, Dr. Commins, Mr. T. P. O'Connor.*)

[BILL 39.] SECOND READING.

Order for Second Reading read.

MR. O'KELLY, in moving that the Bill be now read a second time, said, the Bill made no change in the principle of the existing law, and was only intended to remove a technical difficulty, which had impeded the application of portion of the fund in the counties of Roscommon and Tipperary. It was the residue of a charitable fund given to certain Irish counties many years ago; but Roscommon and Tipperary, owing to the wording of the Act of 1874, had never been able to derive any benefit from it. The Bill proposed to confer on local bodies in these two counties the power of lending the fund to those persons who might apply for loans for works of public utility; and this would be done under guarantees which would be taken for repayment, and after the Board of Works in Ireland had sanctioned the loans. There would, therefore, be an efficient guarantee that no loans would be improperly contracted. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. O'Kelly.*)

COLONEL KING-HARMAN, in moving the Adjournment of the Debate, said that even if no other objection existed, the fact that the Bill had only been placed in the hands of Members that morning, and that a copy was not obtainable at a quarter past 12, was a sufficient reason for refusing to read it now a second time. There were, however, other grave objections to it. He was bound to admit that there was a sum of money lying idle belonging to Roscommon and Tipperary which it would be better to utilize for works of public benefit; and if the Bill before the House proposed to entrust that money to bodies which would employ it for the benefit of those counties, he would not be prepared to resist it. But it was proposed to entrust it to the Town Commissioners. If the fund were applied to the counties it would benefit his own tenants in Roscommon most of all. But, so far as he could see, it was only to be utilized for the benefit of the boroughs, which in Roscommon would be Boyle, Roscommon, and part of Athlone. These Town Commissioners were, no doubt, men of intelligence and respectability; but they were elected on purely political grounds, and not because they understood or cared one particle about the boroughs they represented. But, even supposing they were elected because they understood and cared for the boroughs they represented, he maintained that the money should be employed for the benefit of the entire counties. Under those circumstances, the Town Commissioners were not fit bodies to have the spending of the fund. The authority should be either the Grand Juries or the Boards of Guardians. However, he was not going to oppose the second reading on these grounds. He proposed to move the Adjournment of the Debate, on the ground that the Bill had only been placed in the hands of Members late this morning, although it was ordered to be brought in and printed on February 16.

MR. WARTON seconded the Amendment.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Colonel King-Harman.*)

MR. MITCHELL HENRY said, though there was considerable objection to the course which had been taken in bringing on the Bill for second reading before it had been distributed to Members——

MR. O'KELLY explained that it was through no fault of his that the Bill had not been distributed. It was in the hands of the printers ten days ago, MR. MITCHELL HENRY said, that being the case, of course there was no blame with the hon. Member. He did not consider, however, that the shortness of the time for consideration was of sufficient importance to induce hon. Members to oppose the Bill. The question was really a very small one, and only affected the interest on two sums of £5,000. The fund, in its present state, was useless. It would be much better that it should be utilized, than that it should continue to lie idle; and what better guarantee could they have for its proper expenditure than the supervision, as proposed, of the Board of Public Works? He hoped his hon. and gallant Friend would withdraw his opposition.

MR. MOORE said, he thought the explanation given by his hon. Friend opposite completely exonerated him from any blame as to the delay in the distribution of the Bill. It simply happened that Roscommon and Tipperary, being non-maritime counties, could not participate in the Reproductive Loan Fund; and the Bill proposed to remove this difficulty.

MR. SPEAKER pointed out that the hon. Member could not discuss the Bill on a Motion for Adjournment.

MR. TREVELYAN said, he thought that the hon. Member for Roscommon (Mr. O'Kelly) had fully explained the cause of delay in the printing of the Bill; but experience showed that at this period of the Session a wider margin than 10 days should be given to the printers. He thought the objections made against the Bill were certainly well worthy of attention. It was difficult to speak on the Question of Adjournment without referring to them.

COLONEL KING-HARMAN said, he was willing to withdraw his Motion, in order that the Chief Secretary might state what the Government proposed to do.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. TREVELYAN thanked the hon. and gallant Member for having withdrawn his Motion for the Adjournment. He might say, as regarded the printing of the Bill, that, so far as the Government were concerned, they were fully informed in the matter, inasmuch as since he became the Irish Secretary several of the Irish Representatives had called his attention to this matter, and the hon. Member for Roscommon had explained to him already the provisions of the measure. It would be, perhaps, under ordinary circumstances, a rudeness on his part to ask the House to accept a Bill which it had not full time to study because the Government had been previously made acquainted with its provisions. However, the hon. and gallant Member for Dublin County (Colonel King-Harman) had not, he thought, given any strong reasons for not adopting the course recommended by the hon. Member for Roscommon (Mr. O'Kelly). It was quite true that while the fund concerned the counties, it was put forward there in the interest of the towns; but if there was any objection to the Bill in the counties, he was sure the hon. Members for Roscommon and Tipperary would be there to protest against it.

MR. GIBSON: They do not know its provisions.

MR. TREVELYAN said, the hon. Members must have seen the title of the Bill, as for some time it stood second on the Paper for Wednesday, and they must have informed themselves of its provisions. However, if this was a sum of £100,000 or £50,000 belonging to the counties, the Government would hesitate about supporting the Bill; but, in the present instance, the whole sum concerned for the two counties was a sum of only £10,000, and that sum could not be employed for any purpose until a Bill of this kind was passed. There was no doubt the counties of Roscommon and Tipperary had a clear and absolute right to the enjoyment of that sum; but it should be remembered that it was not now being dealt with in a manner that could not be revoked, and that it was only proposed to deal with it in the shape of loans sanctioned by the Board of Works which should be repaid at a reasonable date. The sum was a very small one, and if it could be divided amongst Boards of Guardians for any purpose of public utility, the Government would hesitate long before rejecting the Bill; but he had consulted several hon. Members in connection with the matter, and they had told him that it could not possibly be applied to any uses other than those suggested by the hon. Member for Roscommon. From the peculiar character of the fishing industries in the maritime counties, the granting of small loans to aid them was, no doubt, a very useful public purpose to which to apply the fund, as it was being at present applied; but he could not find any parallel to such industries in the interior part of the Island; and, under those circumstances, and having regard to the small sum dealt with, and to the fact that the principle involved being one which would not form a precedent in any other case — because he knew no other cases in Ireland similar to it, though his experience in such matters in England was very narrow—having regard to these considerations, and to the general desire of the counties concerned, the Government were prepared to consent to the second reading of the Bill. The details of the Bill were well prepared and carefully drawn, and the only objection he would be inclined to make would be regarding Sub-section 4, Clause 5. Considering that at present 2½ per cent was paid on loans borrowed in this way in the maritime counties, he did not think Parliament would be justified in allowing only 1 per cent to be paid in reference to the loans granted under this Bill. However, he would not make objection now in that direction; but when the Bill was proceeded with on Committee stage he would move to strike out that clause. That was the only objection the Government was inclined to make; and, under those circumstances, they were prepared to consent to the second reading, and, unless there was some very strong argument brought forward against the Bill, he could not help hoping that the House would agree to it.

Mr. GIBSON said, the speech of the Chief Secretary was, no doubt, very reasonable and persuasive in its character. The Bill was not a very large one certainly; and being very small, and therefore to be excused, he was not disposed to keep the House at any great length in dealing with it. He did not think, however, with the Chief Secretary that the title of the Bill was likely to attract the attention of those interested in it. The title was very large, grandiose, and vague, and did not convey any idea of the details to anyone; and he did not suppose there was a person in Roscommon or Tipperary who knew the least about "The Irish Reproductive Loan Fund Act (1874) Amendment Bill." The Chief Secretary admitted that the counties had an absolute right to the benefit of the fund; but, as a matter of fact, under this Bill the counties would have no claim whatever on it. The hon. Member for Clonmel (Mr. Moore) rose to support this Bill; but he was not aware, perhaps, that Clonmel was the only town in the two counties excluded from the benefit of the fund. By the 8th clause, which was either—should he say very craftily drawn or unintentionally inserted—Clonmel was excluded, because Clonmel boasted of a Mayor and Corporation, and this Bill related only to towns incorporated under the Towns Improvement Act. He did not intend to oppose the second reading of the Bill; but he thought it would be only fair, before it was further proceeded with, that the Boards of Guardians of Roscommon and Tipperary should have an opportunity, if they desired to get power to borrow from this fund, to make their case before the Bill passed into law. The Guardians might desire to be given the power of making applications to the Local Government Board for loans from this fund; and if that desire was substantially supported by the Guardians he thought it ought to be fairly considered. The Chief Secretary wished to know to what purposes these loans could be applied in the counties. That was a large inquiry, and he did not intend to answer it; but he might say that, under this Bill, the authority to which the power of obtaining loans was given was the urban sanitary authority, while the rural sanitary authority was excluded; and the only definition which the hon. Member for Roscommon (Mr. O'Kelly) gave of the works to which the money could be applied was works of general utility. Now, one institution which he (Mr. Gibson) would propose in regard to the counties would be the county infirmary. Again, he thought it would be worthy of consideration to insert in the Bill a direction that loans for works of general utility ought to partake of the character of sanitary works, as such works were very much required in Ireland, both in the country districts and the towns. However, he did not intend to oppose the second reading of the Bill, nor did he intend to place any Amendments to it on the Paper.

Mr. MOORE said, he was quite aware of the point to which the right hon. and learned Member for the University of Dublin (Mr. Gibson) had called his attention—namely, that Clonmel was excluded from the provisions of the Bill, and he was proceeding to speak with regard to it, when the Speaker called him to Order. The exclusion of Clonmel was merely a technical error, and the hon. Member for Roscommon would have no objection to correct it. [Mr. O'KELLY assented.] This fund was a fund raised by private charity in the years of the Famine, and it was intended that it should be applied to useful purposes in certain counties. Under the Act already passed the maritime countries could participate in the loans granted for fishing purposes; but Tipperary and Roscommon, the two other counties affected, could not share in those benefits. The amount belonging to these two counties was exactly £10,600; and he thought the best way they could discharge their duty to those by whom the fund was originated was that the money should be devoted to charitable as well as industrial purposes. He would suggest respectfully that the fund could not be better employed than in endeavouring to improve the accommodation of the labouring and artizan classes. Such a one would be thoroughly in consonance with the intentions of the subscribers. He thought, too, that it would be well to enlarge the number of the local authorities to whom the right of applying for loans would be granted. He would only add that the hon. Member for Roscommon, in his opinion, deserved great credit for bringing forward so useful and practical a measure.

MR. O'SULLIVAN said, that amongst the other many useful purposes to which this money could be applied would be the helping of young children and orphans at present in the workhouses of the two countries to become useful members of society. These children were usually reared in the workhouse until they were 12 or 14 years of age, and being trained to no sort of industry they became useless when they grew to be men and women. He thought the best possible way to employ some of this money, therefore, would be in apprenticing some of these children to a trade or business, and not allow them, as at present, to become waifs and strays, who, when they became old enough to leave the workhouse, went out into the world only for a short time, to come back again later on much worse than they were at first

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

IMPRISONMENT FOR DEBT BILL.

(*Mr. Anderson, Mr. Michael Bass, Sir Henry Wolff, Mr. Broadhurst.*)

[BILL 79.] SECOND READING.

Order for Second Reading read.

MR. ANDERSON, who was in charge of the Motion for the second reading of the Bill, said, the measure had been a very unfortunate one. It had been before the House for a number of years unsuccessfully. It was first in the hands of the hon. Member for Derby (Mr. M. T. Bass), and subsequently had been in his own; but it had never, up to that time, had the good luck to get an opportunity of being fairly and fully discussed. The object of the measure was to get rid of the fiction by which in England debtors were imprisoned for contempt of Court, when, as a matter of fact, they were being imprisoned for debt. That was a thing which they had long got rid of in Scotland, and which he thought it desirable they should get rid of in England. Not only were thousands of poor men imprisoned every year in England under that system; but there were a greater number of thousands who were coerced into paying unjust debts by the very fear of that imprisonment. It was not the imprisonment itself that was so great a grievance, as the infliction on many poor debtors of the penalty of paying an unjust debt. He believed these two classes together far exceeded the number of really unjust debtors who were compelled to pay their debts. The desire to abolish this system had been growing, and latterly it had become quite evident that something required to be done. In the Bankruptcy Bill, which they had just been discussing upstairs——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. ANDERSON, resuming, said, that the necessity for something being done was recognized by the President of the Board of Trade (Mr. Chamberlain), who, in the Bankruptcy Bill, introduced certain clauses, which, he believed, were intended to abolish the grievance. He (Mr. Anderson) endeavoured to get those clauses somewhat altered, because, in his opinion, in place of abolishing this pernicious system, they would only give it new life. They would be found utterly illusory and unworkable in practice. But he failed to convince the Grand Committee, and he thought it was very probable he would equally fail to convince the House. The President of the Board of Trade was under the delusion that if they abolished the power of compelling a man to pay his debts they thereby entirely abolished his credit. In Scotland the working man who had been freed from this compulsion had abundant credit, and, in his (Mr. Anderson's) opinion, he had still a great deal more credit than was good for him to have; and, therefore, the abolition of the means of compelling him to pay his debts did not, in actual practice, abolish his credit. The objection to this means of compelling a man to pay debt was that wherever too great facility of such compulsion existed it created a class of men who were ready to trade upon it—to go round and tempt the working man and his wife and family to contract debts, often even unknown to the working man himself, who found himself led into debt; and after that, by means of the power of compelling, which was held over him like a whip, that man was forced to go on dealing with those tradesmen for ever, and to pay the most iniquitous prices for things. They had driven that class of trader out of Scotland; but now he flourished in England, and he was called the Scottish trader. He was only a Scottish trader because they had driven him out of Scotland, and now he flourished in England only. The clauses of the Bankruptcy Bill would not be sufficient to put this trade down; and he was sure the House would some day have to accept a Bill similar to that now before the House, in order to do away with this grievance. He was aware that the House was not yet ripe for this Bill. The English Members had not the experience that Scottish Members had to guide them in this matter, and they were not ripe for the change. Under those circumstances, and also because he wished to give the clauses of the Bankruptcy Bill, which had been passed for this purpose, a fair trial, he begged to move that the Order for the second reading of the Bill be now discharged.

Motion made and Question proposed, "That the Order for the Second Reading of the Bill be now discharged."—(*Mr. Anderson.*)

Mr. CHAMBERLAIN said, his hon. Friend, in moving the discharge of his Bill, had taken the opportunity to criticize the proceedings in Committee on the Bankruptcy Bill. The Bill of his hon. Friend was an attempt to impose upon England, against the wishes of the majority of the people of England, a Scottish law, which his hon. Friend had declared worked very well in Scotland. He (Mr. Chamberlain) had taken some pains to inquire into the law in Scotland, and he found that opinion was very much divided upon it; but he was quite ready to concede to the hon. Member that the majority of Scottish Members were in favour of the abolition of imprisonment for debt. He did not think there was any more reason on that account for forcing a similar law upon England than there would be for forcing upon Scotland the English Bankruptcy Law. He objected altogether to this Bill, on more grounds than one. His hon. Friend had attributed to him an expression of opinion that he never uttered. He never said that the abolition of imprisonment for debt would entirely abolish credit. He did think, however, that it would materially diminish credit, which was quite a different thing. He was convinced, also, that it would be taken advantage of, and that a great number of people, for whom nobody could have any sympathy, would escape payment of their just debts. He objected to this Bill on the ground that it would not do what it pretended to do. It was called a Bill for the Abolition of Imprisonment for Debt; but it was really only a Bill for preventing imprisonment, except by the higher Courts. At the present time, a great number of imprisonments took place on judgment summonses heard in the High Court. He believed, in connection with that power of the Judges of the High Court, probably the greatest abuses had taken place. Some of the Judges had complained to him of the working of an

Act which they were forced to administer. They had effectually dealt with this matter in the Bankruptcy Bill. They had provided that this power should be taken from the Judges of the High Court and placed in the hands of the County Courts, which would have the administration of the Bankruptcy Law; and they had authorized and empowered the Judges of these Courts to deal with the matter as though it were an application in Bankruptcy; and upon proof being given that the debtor was unable to pay his debts, instead of making out an order for committal, the Judges would allow the proceeding to be the first step in the bankruptcy, so that the poor debtor would be dealt with in the same way in which the rich debtor would be dealt with. They had also provided that in all cases of proceedings in the County Court the Judge might, upon information being tendered to him to that effect by the debtor, and upon being satisfied that the debtor was unable to pay the claims upon him, make an order for the administration of his estate, if necessary, including the administration of his future earnings. They were assimilating the proceedings in these small cases to the proceedings in the larger cases, and the anomaly would be done away with. He did not doubt that, under the Bankruptcy Bill, imprisonment for debt would be very much reduced, and it would only remain *in terrorem* over the heads of absolutely dishonest debtors.

MR. WHITLEY said, he had been very much astonished at the observations of the hon. Member for the City of Glasgow (Mr. Anderson). He (Mr. Whitley) had had communications from almost all the large towns of England, and also from traders in Glasgow; and he could not help saying that he thought the giving up imprisonment for debt would be the ruin of a great number of small traders in the country. He did not think the hon. Member for Glasgow put the question quite correctly before the House, because he said honest men were imprisoned on account of not paying their debts. Now, it was not so; they could not absolutely be imprisoned for debt. They could only be imprisoned under the order of a Judge, who must be satisfied that they could pay, and would not pay. It was only in cases of that kind that imprisonment was ordered. His (Mr. Whitley's) own view was that, in the vast majority of cases, the County Court Judges avoided imprisonment wherever it was possible; and it was only where they were satisfied the man was an absolute rogue, and incurred debts without any means of paying or intention of paying, that they put imprisonment powers in force. He begged to remind them that, under the present law, a man who had no house could go from lodgings to lodgings, from street to street, dealing with poor people who could not afford to lose their money, and this went on from year to year and from day to day; and he ventured to say that in all large towns there were a number of men like this, who were living on the credit drawn from poor people. In such cases, he thought the taking away of the power of imprisonment would extend immorality and dishonest trading. He was very glad to hear the observations of the right hon. Gentleman the President of the Board of Trade; and he believed that, under the Bankruptcy Bill, as the right hon. Gentleman had explained, in every case justice would be done and dishonesty would be punished. What he wanted now to say was, that he believed every trading community in England had more or less memorialized against the Bill for taking away the power of imprisonment for debt; and, therefore, he hoped that the hon. Member for Glasgow would not think they were all so enamoured of the system of the Scotch law as to wish that it should be introduced into England. In many cases, no doubt, they would be glad to see it, for it possessed a great deal of merit; but the whole of the system was not applicable to the trading communities of this country; and he was, therefore, very glad that his hon. Friend did not intend to press the measure, because, if he had, he (Mr. Whitley) should have felt it his duty to oppose it.

DR. CAMERON said, he rose simply on account of the observations that had been made in regard to Scotland. This was really a matter that did concern Scotland. As a matter of fact, English debtors imprisoned hitherto had cost the country in maintenance a sum of money that would have paid their creditors 10*s*. or 11*s*. in the pound on the aggregate amount in respect of which they had been imprisoned, and the share of that cost had to be paid by the Scotch taxpayers as well as by the English. He thought that gave them some little claim to consideration in this matter. What he had to complain of in regard to the law was that it was a law which dealt with the rich man in one way and the poor man in another. A rich man could get his discharge, and his future earnings were not impounded. Of course, in cases where there was a large estate an order might be made that a portion of the income might be given over to the discharge of the creditors; but if the debtor was a merchant or a professional man, his future earnings were not impounded; whilst if he were a poor man, the Judge was directed to exact payment to the full amount. As to the question of satisfaction or dissatisfaction at imprisonment for debt, imprisonment for small amounts had been abolished in Scotland for the last 80 years, and there was absolutely no difference of opinion with regard to the propriety of that abolition. In the last three years he had succeeded in extending the abolition of imprisonment to debtors above £8 6*s.* 8*d.* There had been a considerable amount of difference of opinion regarding that; but, as far as the debtors under £8 6*s.* 8*d.* were concerned—and they constituted the vast majority of the cases of imprisonment under the English law—there was not the smallest diversity of opinion in Scotland. He would suggest to his hon. Friend (Mr. Anderson) that if he could not accomplish his purpose in any other way, he should object to the Vote for the maintenance of these debtors in English gaols, towards which Scotland was compelled to contribute, and who cost a sum of money sufficient to pay a handsome dividend to the creditors.

Mr. WARTON said, that his object in asking a Count of the House was to bring in a larger number of Members to hear the hon. Member for Glasgow (Mr. Anderson). The County Court Judges, though very much abused, had exercised the jurisdiction they possessed with great discretion. He had much experience of County Courts, and he could say that not one man in 50 was imprisoned unless he had the means of paying and would not pay. The County Court Judges were also very careful that the instalments which they ordered to be paid should be only in proportion to the debtor's income. There was no grievance with regard to imprisonment for debt. He was glad to receive the assurance of the President of the Board of Trade that an alteration of the law was contemplated, because the time of the Judges was tremendously wasted at present in settling what instalments should be paid to creditors.

Motion *agreed to.*

Order *discharged;* Bill *withdrawn.*

BANKING LAWS (SCOTLAND) BILL.

(*Mr. Anderson, Mr. Barclay, Mr. M'Laren.*)

[BILL 78.] SECOND READING.

Order for Second Reading read.

Mr. ANDERSON, in moving that the Bill be now read a second time, said, that the 1st clause simply provided against any vested interests. It was unfortunate that in his Act of 1844-5 Sir Robert Peel did not introduce a clause of this nature, for the result of his not doing so had been that the Scotch banks, who had enjoyed a monopoly of issue ever since then, now regarded that as an absolute vested right, and had plainly told the Treasury, in the correspondence which had lately taken place, that they had no power to take it from them. He wished to avoid any such possibility of a vested interest being created under this Bill, if it became law. He also looked forward to the possible time when the Government might be able to change their whole system of issue by adopting a general measure of State paper circulation in place of the present private bank circulation. That was, perhaps, too great a change for the Government to make at present; but if they assented to this Bill that would pave the way for a greater measure in the future, and preclude the possibility of the creation of vested interests, which might be a bar to the change when it was proposed. The first object of the Bill was to provide for a note issue founded upon Government security, and which should be free to all banks, whether existing or new, upon certain terms of security as described in the Bill. For instance, no bank would be entitled to have more than half of its paid-up capital in note issue; and as the Bill provided that all banks should be under the Companies Act, 1879, there would be a further unpaid-up capital equal to the paid-up capital, so that the note issue would really not be more than a fourth of the whole capital. Further, the securities were to be 15 per cent above the amount of issue allowed, and the banks would be required to pay 2 per cent per annum for the use of this issue. That was one of the main features of the Bill. It was held that the hire of note issue, which was really taking the place of a national issue, should belong to the nation which gave the privilege. He did not think the profit upon that currency should belong to the private banks or their customers. As regarded existing banks, he proposed that they should have five years of the use of their present issue free, for another five years the use at half rates, and after ten years they should pay the same as new banks —namely, 2 per cent. That rate was what the Bank of England paid for any excess of issue it got, and they could perfectly well afford to pay that, because the rate was proposed to be charged only on the amount of issue actually in the hands of the public. As ascertained at present, the banks by monthly returns gave the Government information as to the average amount of notes they had out in the hands of the public, and those notes were all that interest would be paid upon; but they were not all that the banks had profit on. The real profit on the circulation of the Scotch banks was not on the notes in the hands of the public, but on a large amount of notes which they had in their own hands as till money for their numerous branches. Of that amount the Government knew nothing, and got no profit upon it. The profit was to the banks themselves, and it was, undoubtedly, a great privilege. If that privilege was to be continued they could very well afford to pay 2 per cent on the notes in the hands of the public. If it was not continued they could not pay 2 per cent; but still they ought to pay something. If existing banks wished to continue their present issue, he proposed by this Bill that Government securities should be lodged to cover that issue, and that the gold which was at present held to secure their surplus should be set aside exclusively as security for the notes issued against it. At present, the gold was nominally held as security for the surplus issue; but, in the event of disaster, was only thrown in with the general assets. In the case of the City of Glasgow Bank, it was found not only that the gold had been tampered with, but all that was left came in as a general asset. That was a wrong system, which ought to be changed, and he proposed to change it. The two main principles of the Bill then were—that profit on the circulation should belong to the nation, and not to the banks or their customers; and, secondly, that the privilege of issue should be more freely attainable, so as to break down the present monopoly of the Scotch banks. That monopoly was in some respects very well managed, chiefly for the interest of the bankers, but partly for the interest of the country. The banks of Scotland were, undoubtedly, very well managed institutions; but by means of their monopoly they paid very large dividends to their shareholders, and the monopoly was so strict that it was absolutely impossible for any new bank to be created under it. He wanted to prevent the monopoly of note issue being any longer made the means of creating a monopoly of the trade of banking. The issuing of notes and the trade of banking were two utterly distinct things, and they ought to have no such connection with each other; but in Scotland the monopoly of issue was a means of creating a monopoly of the trade of banking. So complete was that monopoly that since Sir Robert Peel passed his Bill in 1844, while many banks had ceased to exist, not one new bank had come into existence. Every other trade in the country — all the manufactures of the country, the mining, the railways, and every industry of the country—had enormously extended; but the trade of banking was now in a smaller number of hands than it was at that time, and it would continue to grow less and less. At present there were only 10 banks in Scotland altogether. They had a paid-up capital of only £9,000,000; but they held deposits amounting to £80,000,000. They had an authorized note circulation of £2,676,000; but they had actually an average note circulation of £5,640,000. He thought that large amount of deposits ought to be distributed over a greater number of banks. The result of its being in so few hands, and of the banks having so complete a monopoly, was that they had actually more money than they knew what to do with, and accordingly they sent part of it to London and competed with the London banks in the London Money Market; and in order to pay a high rate of interest to their depositors and make up for the loss through the low rate of discount they charged in the London Market, they were obliged to charge traders in Scotland a higher rate of discount than they were charging in London at the same time. That, he thought, was by no means a healthy state of matters, and he should like to see it abolished, because all monopolies were pernicious. On the ground of its being a monopoly, some means of getting rid of that monopoly ought to be found. At present there were no means of doing that, and he saw no way in which it could be done, except by opening up the privilege of note issue to any new bank. In this Bill he had supposed that new banks would be created, and would apply for note issue to the extent of £4,000,000; but even if that privilege were given there would not be a single note more in circulation than at present. The banks could not force their issue. No banks could send out the issues in excess of what the public required, because they came back immediately. The system of giving interest on the daily balances of traders' accounts absolutely precluded Scotch banks from issuing any excess of notes, for, even if issued, it could not remain out. Therefore, although great latitude was given to circulation by the Bill, the result would be that there would not be a single note more than there was at present. The only difference was that, by establishing new banks, the issue of the country would be distributed over a greater number of banks, and the monopoly of the present banks would be broken. English Members, he thought, did not understand how a monopoly of note issue in Scotland gave a monopoly to the trade of banking, because in England there was also a monopoly of note issue, but not of the trade of banking. The reason was easy to see; it was due to the existence of £1 notes. The Scotch circulation being so largely in £1 notes, that gave the bankers a power that in England they had not. The value of the privilege of note issue was not so great in England as in Scotland. There was no great profit to be made on the notes of larger denomination—£5, £10, or £100 notes—and there was, therefore, not the same advantage in it. That was the reason why the profit on the note currency was larger in Scotland in proportion to its extent than in England; but such profit as there was ought to be in the hands of the Chancellor of the Exchequer. When he first brought in this Bill it was of larger scope; for he proposed to have £1 notes in England also. If they were introduced into England the profit would be something enormous. At present the loss of interest on gold in circulation was very great; but the loss by the mere attrition of the gold was also very great. Some day he supposed there would be an application for £500,000 to cover the loss for the wear of the gold in circulation. Scotland was free from any share in causing that loss; but she would have to pay her share of that amount. These were the principles of the Bill. He hoped the Government would assent to the second reading, because it was a Bill in the direction which he knew was cherished by the Government—namely, having a State issue of paper money. This would pave the way towards it, in the first place by breaking up the monopoly, and in the second place by handing over to the Government the profit of the note circulation in Scotland, with a view to ultimately enabling them to have the profit of a paper-note circulation to take the place of some considerable part of the gold that was now wearing away in the pockets of the people of England. The banks of Scotland had, undoubtedly, done service to Scotland; but the best service was in the past, when they were free, and before they were fettered by the Act of 1844-5. This was objectionable at the time; but it had been the means of fettering the public far more by creating a pernicious monopoly, and preventing any new bank from starting. He believed that at present the monopoly was so great that, even if the Bill were passed, there would be considerable difficulty in a new bank establishing business in Scotland against the "Boycotting" influence that would be exerted by the existing banks. But, at all events, he thought the people of Scotland were entitled to have an opportunity of trying it. The fact that no single bank had been started since 1845 was of itself a proof that something of this kind required to be done. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Anderson.*)

MR. WILLIAMSON said, he regretted to have to move that the Bill be read a second time that day three months. No Member of the House held in higher estimation than he did the industry and common sense of the hon. Member for Glasgow (Mr. Anderson); but he was sorry to say he could not follow his hon. Friend in his views with regard to banking arrangements in Scotland. He was sure that in Scotland there was no demand for such a Bill as this. The existing banks fully satisfied the wants of the community; and there was no public necessity, nor was it a matter of public benefit, that further banking facilities should be established in Scotland, at least under such provisions as those embraced in the Bill. His objection to it, however, was more on grounds of principle than with regard to the question of the extension of banking facilities; and he would just call the attention of the House to a contradiction between Clause 12 and Clause 6 of the Bill. By Clause 6 banks were to be allowed to issue notes on deposit of Government securities. These notes were to bear, on the face of them, according to Clause 12, that they were redeemable in gold. Supposing a panic overtook the country and a run took place upon these banks, they would have to transmute their securities into gold, and they would have to go to the Bank of England for that gold, so that the tendency of the Bill was to limit and reduce still further the very scanty supply of gold now existing in the Bank. He was afraid that would be fraught with great mischief in a time of public disaster. As a matter of principle, the Bill was utterly unsound, and he hoped the House would reject it. The notes to be issued were also of a contradictory character. According to Clause 12, they were to be payable in gold on demand; but they were also to bear the statement that they were issued against Government securities. Thus, on the very face of the notes there would be a contradiction. Altogether, the Bill was utterly opposed to what he considered sound banking principles; and, therefore, he was bound to move its rejection. The hon. Member for Glasgow said that Scottish banks enjoyed a very great monopoly and divided great profits, and he had given the House to understand that that arose from their power of issue. The fact was that these banks had very large undivided funds, consisting of accumulated profits. These gave great profit and advantage, and a bank that on its own capital might earn 5 per cent, by employing these large reserves, as they naturally did, easily earned and divided 10 per cent. So much the better, so much stronger were these banks; and they were in so strong and satisfactory a condition that they were all the better fitted to meet and supply the banking necessities of the country. There was no necessity for the Bill, and no public demand for it. It was unsound in principle, and he again begged that the House should reject it.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Williamson.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. E. S. HOWARD said, he was very sorry he could not support the second reading, and all the more because he sympathized with the hon. Member for Glasgow in his desire to do away with this monopoly that, he said, existed in Scotland. But representing, as he did, a constituency on the Borders of Scotland, he was obliged to look with considerable suspicion upon the Bills which were promoted by Scottish Members from time to time in that House, because they had a very happy knack of obtaining for themselves, when they were united—he was afraid they were not on this occasion—privileges which were denied to those who lived in other parts of the Kingdom. There had been for a long time a considerable grievance with regard to Scottish banks in Cumberland, owing to the circulation of Scottish notes on that side of the Border, and the establishment of Scottish banks. It was only in consequence of the exceptional privileges enjoyed by the Scottish banks that they were enabled to come over the Border and compete with the local banks, while it was the want of these privileges which prevented the Cumberland banks from going over the Border and competing on equal terms with the Scottish banks. In the Bill of 1879, as drafted, there was a clause, the object of which was to restrict the operation of these Scottish banks which desired to avail themselves of the privileges of that Bill to the limits of Scotland; but on its being found that there was considerable opposition to the clause it was dropped, and the Bill confined entirely to England. On looking back over the Act, however, he found that the Scottish and the Irish banks, too, were enabled to take advantage of the measure. They had lost that opportunity of trying to place the banks of England and Scotland on an equal footing; and, as he read the Bill, it seemed to him that the grievance from which they had suffered so long in regard to the extra issue of notes would be considerably aggravated. In Clause 8 it was provided that the privilege of the issue of notes on gold should continue as regarded old banks, and be available to new banks also. That would tend to aggravate the grievance and injustice under which Cumberland already suffered. If the hon. Member would alter his Bill so as to place English banks on the same footing as Scotch banks, he might get some support for it. But there were wider reasons why this Bill ought not to pass at present. It seemed to him that the Bill was conceived in a spirit entirely opposed to the principle which had guided all legislation on this subject since 1845. In many important respects the Bill departed from the policy referred to as having been followed, and as being adhered to in the Correspondence which took place in 1881 between the Lords of the Treasury and the Scottish banks. He thought it would be very much better that when this subject was dealt with it should be dealt with by the Government itself. The hon. Member who moved the second reading (Mr. Anderson) had said he hoped the time would come when a general measure would be brought forward for the State circulation of notes. He hoped the hon. Member would wait till that time came, and that, when it did, the Government would take up the question and deal equally between England and Scotland. For these reasons, he would support the Amendment moved by the hon. Member for St. Andrews Burghs (Mr. Williamson).

Mr. ORR-EWING said, the Bill would revolutionize the present banking system in Scotland. The hon. Gentleman had said that banking in Scotland was a monopoly. No doubt, there had been no new banks started of late years; but the same might be said of England, for very few new banks had begun of late years here; and those banks were doing little business and less good. The old banks had almost a monopoly of trade, not because they had a note circulation of their own, but because they did their work so well that there was no opening for new banks. The existing monopoly, if it was a monopoly, was in the interest of Scotland. A Committee had sat on this subject some years ago, and he thought the Scottish system of banking had come out triumphantly before that Committee. He had not expected the Bill to come on that day, or he would have called the attention of the House to the evidence then taken. It was proved, if he was not mistaken, that the number of branches of banks throughout Scotland was about eight times in proportion to the population that it was in England; and, if he remembered rightly, the proportion of the deposits in Scottish banks was about four times what it was in England. The fact was that a branch bank was put down in every little village throughout Scotland, and people had facilities at once to lodge their money. There were now £80,000,000 of deposits in Scotland; and the fact was that the banks in Scotland had got so much money deposited from the thrifty people of Scotland, that they could not employ it in Scotland, and had been obliged to send the money to England in order to use it. Could there be a stronger evidence of the immense advantage to the people of Scotland of having so many branches spread throughout the land? He felt sure that this Bill would not receive a second reading, and he hoped no Bill would be brought in to alter their circulation. It was true that a higher rate of discount was given in Scotland than there was in England; and that was why the Scottish banks always paid a higher rate to their depositors, and small depositors had the advantage of that. There were other advantages in the Scottish banks. In England, when a dark day came, when there was excitement in trade and want of confidence throughout the country, men of business found it almost impossible to get money at any price whatever. In Scotland that was never the case. However dear money might become in England, however scarce it might be, the Scottish banks were ever ready to support their clients; and another thing was that they never charged within 1 or 2 or 3 per cent of the extreme rate obtaining in London. That was an immense advantage—an advantage so great that he was willing to pay a little more discount in prosperous times—which would probably not be more than ¼ or ½ per cent—to be able to get money when there was a strain. For these reasons, he hoped the Bill would not succeed in passing the second reading.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, I think it may be convenient to the House that the Government should state, at an early part of the debate, what their view is of the Bill. Although I shall not speak at great length, or follow the hon. Gentleman into the details of Scotch banking, I will deal with the proposals as set out in the hon. Gentleman's speech and in the Bill before the House. My hon. Friend will forgive me for saying that I do not think I ever read a Bill the drafting of which gave one so much trouble to understand its purport. I had to peruse it several times before it was possible to understand even such a simple matter as what was meant by "issue." At last I reached the Interpretation Clause, and there I found that issue might mean two different things—authorized issue, and authorized unsecured issue—or, rather, that they both meant the note issue permitted by the Act to be issued without specified security. And then, when I went back to the clause which speaks of the amount of issue, it was impossible to say whether that meant the secured issue, or the secured and the unsecured also. Of course, on points of that sort, a great deal turns in discussing the merit of a Bill of this kind. But, without criticizing the draft of the Bill, may I point out to my hon. Friend that he has omitted to explain, or even state, one or two of the most vital points in the Bill? I take it that the most important proposal in the Bill is one which he never mentioned at all, and which lurks at the bottom of the 16th section, and as to which my own impression is that the Resolution passed by the Committee on which the Bill is founded is really hardly adequate. I repeat that the most important provision of this Bill is one that my hon. Friend has not spoken of—the provision that in future the whole note issue of Scotland should be guaranteed by the Consolidated Fund. For the first time, by a provision in this Bill, it is proposed to give holders of notes in Scotland, in the event of anything happening to the bank of issue, the security of Parliament. I think my hon. Friend would have done wisely if he had explained the proposal to the House, because, if he does not think it one of the most important, I certainly do. What are the proposals of the Bill? The first is that the future note issue of Scotland should have the security of Parliament. The second is that the Scotch Bank notes should bear on their faces that they were issued against Government securities held by the Treasury. But that would not be true. The Bill proposes expressly to keep alive the issue of Scottish notes against the gold and silver held, on the average, during four weeks by each bank; and, therefore, not only is this note issue to have, in this concealed way, the security of Parliament, but the notes themselves are to bear on their faces a declaration of a fact which is not a fact at all. I take it that two such principles as those introduced into a Bill are sufficient to make us view the whole Bill with suspicion. My hon. Friend said he did not propose to add to the aggregate note issue of Scotland; and my hon. Friend the Member for East Cumberland (Mr. E. S. Howard) pointed out what danger lurked in some of the provisions in the way of increasing the advantages of Scottish banks in competition with banks in England. But the whole principle of the Bill is that the note issue of Scotland may be increased by £4,000,000. He almost anticipates that the note issue shall go further, for he begins with £4,000,000, and then he says, when it reaches £4,000,000, no further privileges should be granted without fresh sanction, evidently anticipating that the day would come when the note issue of Scotland is to be still further increased beyond that figure. But how is this to be carried out? I am bound to say that, taking the 6th clause with the Interpretation Clause, I fail thoroughly to understand what my hon. Friend's proposal is; but I think it means that in future the Scotch banks, whether already existing or hereafter to be created, after a term which they are allowed for purchasing Government securities, are to hold Government securities to the amount of what is called their unsecured issue, and they may issue as much as they choose, provided they have in their till gold and silver in certain proportions sufficient to meet the issue. My hon. Friend then proposes that there should be one curious difference between old banks and new banks. He proposes that the new banks shall not have an issue—and here again I do not know whether he means secured or unsecured issue—exceeding half of their paid-up capital nor a sum of £400,000; whereas the existing banks are also limited to half their capital, but, apparently, are not restricted by the sum of £400,000. So that, although he proposes to get rid of what he calls the monopoly of the existing banks, and to put future banks on the same footing, he really does not do so, but retains a restriction which is not to apply to existing banks. I have, I think, given good reasons why the first proposal is one that could not be tolerated for a moment. With respect to the second proposal, I think it also could not be tolerated, because it would be putting on the face of the bank note something as a fact which is not a fact. The third proposal would very largely increase the bank note issue of Scotland. In London, and within a certain mileage of the Metropolis, partly by custom and partly by law, the issue of notes is limited to the Bank of England; and that issue is governed by a certain precise law, under which what is called the unsecured issue cannot exceed a certain amount, liable, however, to be increased, and the rest is based on the bullion and coin held by the bank. These notes are legal tender. When you go beyond that district, the Bank of England is competed with by private banks, whose notes are not legal tender, and whose issue is regulated by a different law from that of the Scottish banks. You have thus a competition in England away from London between legal tender notes on the one hand and non-legal tender notes issue on the other. But when you cross the Border to Scotland, you have no legal tender issue. But all the arrangements made by Sir Robert Peel in 1844-5 had one object—that was to restrict the issue of private notes, with the view ultimately to lay down in practice the position which my hon. Friend the Member for East Cumberland quoted from the Treasury Minutes of 1881—that is to say, that in process of time the whole of the issue of notes should be in the nature of legal tender, and under the control of the State, and that meanwhile the issue of notes should be so restricted, and should be a privilege granted by the State itself. That being the state of the law and the policy of the Government—not only that of Sir Robert Peel, but equally of those who sit opposite with ourselves—I say nothing could be more unwise than to do what my hon. Friend the Member for Glasgow (Mr. Anderson) proposes to do—namely, to allow, as he says, Scotland to make an experiment with respect to the matter. My hon. Friend says—"Let us make this trial in Scotland." Of all countries in the world, I should say Scotland was the worst to try such an experiment in. Everybody admits that the system of banking in Scotland stands on a very high level indeed; and to take Scotland and make it the seat of a perfectly fresh experiment, with some remote analogy to the system of the United States, would be, in my opinion, a detrimental step. On that ground I should certainly counsel the House to adopt the Amendment. I will not go further into detail. It is quite sufficient to point out that the proposal departs from, instead of approaching to, the principles which governed the Acts of 1844 and 1845. Those principles are approved by the great majority of the House; and without any hesitation I shall support the Amendment.

Mr. W. FOWLER said, that there was the greatest anomaly and injustice, as regarded the Provincial English banks, in the system by which Scottish banks obtained a domicile in London, and retained their paper issue; and he should not be inclined to give any more privileges to the Scottish banks until that whole question was considered. If they were to deal with the question, they ought to have a Royal Commission to consider and discuss the matter as a whole; but to pass a measure of this kind on a Wednesday was ridiculous. He agreed with the Chancellor of the Exchequer that there was no necessity for the Bill. They had an excellent banking system in Scotland, and nobody was harmed by the monopoly that was complained of. If the Bill were passed they might have some extraordinary experiments with finance, which the country would not care for. The banking system in Scotland had been extraordinarily successful; and, though there had been terrible panics and large failures of banks, the other banks had sustained their position in a way which did them infinite credit, and testified to their high reputation. The idea that underlay this Bill, that the country wanted more bank notes in order to do more business, was, in his opinion, a pure fallacy. If any man had good credit he did not need bank notes. His cheque would go anywhere. The truth was, the more complete their machinery for business was, the less they wanted bank notes, and the more they used credit. The people who cried out for more bank notes were very often those who were deficient in currency at home. He did not deny the importance of having a good issue of the right sort of note; but he thought they were gradually getting to a state of things in which they were less dependent on that. He should certainly vote against the Bill.

SIR GEORGE CAMPBELL said, he must honestly confess that he did not understand his hon. Friend's Bill; but, as a similar confession had been made by the Chancellor of the Exchequer, he failed in very good company. As a rule, he was rather given to praising Scottish institutions; but in this instance he was going to say something in depreciation. It seemed to him that they did want some legislation in respect of Scottish banking, because it was at this moment the closest possible monopoly. If any one doubted that, let him go to Scotland, and take up any newspaper, and he would find it advertised that the Scottish associated banks had fixed the rate of interest at so-and-so. Now, it was surely not a good state of things when a close body could fix the rate of interest, not with regard to the market value of money, but solely from its own views of what the rate should be. Not only was Scottish banking a close monopoly, but it became closer every day; for, having a privilege of issuing notes which no other association could obtain, it was quite impossible that new banks could be established; and, on the other hand, every bank that burst up diminished the constituent members of the monopoly. Some years ago there was a much larger number of banks than there was now; and it followed that in course of time the monopoly might be limited to one or two. Therefore, he thought some legislation in regard to Scotch banking was undoubtedly required. He understood that the Bill before the House was, to some extent, founded on the National Banks of America. He knew there were differences of opinion as to that system; but he thought, in the main, it was a good one. With reference to the remarks of the hon. Member for Cambridge (Mr. W. Fowler) as to credit and the use of cheques, speaking as a layman, he thought that the more a country could do without gold and silver, and could carry on its business with paper, so much was there a saving to the country. Therefore, it seemed to him that any system by which they could substitute the active use of paper for the active use of gold and silver would be an advantage.

MR. WEBSTER said, he did not think the speech of his hon. Friend (Sir George Campbell) had added very much to the information of the House on this question; and as he had frankly confessed at the outset what his speech proved, that he did not understand the Bill, which was the only subject of the debate, he (Mr. Webster) would not make further reference to his observations. He rose to say how much he, in common with other Scotch Representatives, felt obliged to the Chancellor of the Exchequer for the admirable exposition he had made of the Bill, and for the decided opposition he had offered to it. He wished also to express his general concurrence with the hon. Member for Cambridge in his condemnation of the Bill. It was intolerable that a system which, whatever faults might be found with it, had been confessedly of immeasurable advantage to Scotland, should be dealt with summarily at the instance of one private Member on a Wednesday afternoon, and in so thin a House as at present. The thinness of the House he could easily understand, as it was not expected the Bill would be reached today; but there was another reason why more attention was not given to the measure. He had received many communications from banking, commercial, and other bodies, as well as individuals in Scotland, regarding the Bill to the effect that it seemed so wild and so absurd a conception that they did not think they need give themselves any trouble to explain by Petition to the House their views on the subject. There was a strong and general opinion in Scotland that the Bill was altogether a mistake, and that it proposed to disturb unnecessarily a system with which the prosperity of Scotland had been interwoven for more than a century. He hoped the House, therefore, by rejecting it, would put an end, for a time at least, to any such uncalled-for and ill-advised attempts to interfere with the banking system of Scotland.

Sir STAFFORD NORTHCOTE: Sir, I am ready to confirm what has just been said by the hon. Member as to the unexpected discussion of this Bill. I came down to the House without the slightest idea that the Bill would come before us to-day; and I am ashamed to say that I have not even gone so far as to read, far less to understand, the proposals of the hon. Member for Glasgow (Mr. Anderson). But I think so large and important a question could not, with advantage, be taken up at the instance of a single Member upon a Wednesday afternoon; and that it would be a very great pity if some of the questions which the hon. Gentleman raises should be disposed of as summarily and suddenly as would necessarily be the case on an occasion like the present. I quite agree with the Chancellor of the Exchequer that the Bill, as it stands, is one which we could not possibly take as the basis for an alteration of, or an experiment on, the banking system. I think it would be very unwise—though I do not say the Scottish system of banking stands in no need of reform—to take up this question on a Bill of this character; which, even if it were read a second time, could not be fully discussed during the present Session; and I entirely agree in the discretion of the Government in rejecting the Bill. I do not altogether deny that the observation of the hon. Member for Glasgow as to the monopoly which is now possessed by the Scottish banks is founded upon the truth, and is a very reasonable matter for our consideration. I do not think that the monopoly which the Scottish banks enjoy has to be taken absolutely as a proof that they are so excellent that it is on account of their excellence that there could be no competition with them. No doubt, the present state of the law does give them a monopoly, which, however excellent they are, they would hardly dare to demand on account of their own merits alone. Everyone must see that the monopoly they have of issue gives them a great power, and makes banking a monopoly; whereas the issue was not intended to be a monopoly. I hope the House will come to the conclusion that the Bill had better be laid aside.

Mr. J. W. BARCLAY said, he thought the hon. Member for Glasgow was not so sanguine as to expect the second reading of his Bill to-day. The matter came on rather unexpectedly, and, no doubt, that accounted for the thinness of the House; but if his hon. Friend went to a Division he should certainly support him, not because he approved of the Bill, or the provisions it made for the amendment of the present system, but as a protest against that system being thought satisfactory as it now stood. The subject was pretty fully discussed in the House five or six years ago, when a Bill was introduced for the purpose of preventing the Scottish banks doing business in London; and on that occasion the right hon. Gentleman who had just addressed the House, and the present Prime Minister, expressed themselves in favour of the principle of the State providing a paper currency, in the same way as it provided a metallic currency. He (Mr. J. W. Barclay) thought that was a sound principle to adopt in any reform which might take place in the supply of currency throughout the country. Both functions should be under the control of the State, very much as the Mint was under the control of the State. He thought this would be of great benefit to the country generally; there would be a great economy in the use of gold, and they would not have these panics which constantly arose when one or two millions of gold were taken out of the country. The great objection to the present system was the necessity for the note currency being supported by a stock of bullion. The arrangements of the Scottish banks were very absurd. Once or twice a year, two or three millions of gold were sent down to Scotland in boxes, and after lying in the banks for a month or two they were sent back again. He did not think the American system of note currency was the best that could be adopted, and that system was not working very satisfactorily. He thought, if they were going to make any change in the present system of banking, it should be in the direction of making the State responsible for the supply of the paper currency of the country, as it was for the metallic currency. They could both be worked on a similar basis. So long as paper money was only used for the purpose for which it was intended—namely, the supply of currency—no danger could arise to the country from an excess in its issue. The danger could only arise if the State attempted to make the paper currency take the place of capital, and that could be effectually prevented. His hon. Friend the Member for Glasgow had accomplished a considerable part of his object in having the attention of the House and of the country called to this question of the issue of notes by the Scottish banks; and he thought he would do well to be satisfied with what he had accomplished at the present moment, in the hope that a reform would ultimately be made which would throw open the banking business in Scotland and England, but particularly in Scotland, to greater competition.

MR. ANDERSON, in reply, said, the Chancellor of the Exchequer taxed him with not alluding to one of the principal provisions of the Bill. He could return the compliment. What he considered one of the principal provisions of the Bill was, that the State should have a profit from the national currency. That was never alluded to by the right hon. Gentleman, and yet it was a matter within the right hon. Gentleman's own province. There was another principle of the Bill which was not alluded to by the Chancellor of the Exchequer—the breaking up of the monopoly of the Scottish banks. As to the other points, he had no wish to go through the whole of them; but there were one or two that required a word. The right hon. Gentleman repeated what the Treasury letters stated—that the policy of the Government was to bring the issue under the control of the State. The Bill exactly brought the issue under the control of the State. The banks claimed as their absolute property the privilege of issue which they enjoyed at present. Therefore, it was not under the control of the State; but his Bill proposed to bring it under the control of the State. Undoubtedly, the breaking up of the monopoly was the most important point of the Bill. That the Bill had not received much support was partly to be accounted for by the fact of its coming on so unexpectedly; and he was not surprised that those hon. Members who took an interest in the subject were not present to take part in the debate. Under those circumstances, he could not expect to carry the Bill, and he would not put the House to the trouble of dividing upon it.

Amendment, by leave, *withdrawn.*

Motion, by leave, *withdrawn.*

Bill *withdrawn.*

INFECTIOUS DISEASES NOTIFICATION BILL.—[BILL 100.]

(*Mr. Hastings, Sir Trevor Lawrence, Dr. Farquharson, Mr. Brinton.*)

SECOND READING.

Order for Second Reading read.

MR. HASTINGS, in moving that the Bill be now read a second time, said, the Bill embodied the recommendations of a Select Committee which had considered the subject, and also the provisions of a number of Private Bills which had been passed from time to time for upwards of 30 cities and boroughs in the United Kingdom. One-sixth of the annual number of deaths in this country were caused by zymotic diseases, such as small-pox and scarlet fever; and the object of this Bill was that such notification should be made as would enable the medical officers of health, and parents and others, to take measures to prevent the spread of infection. In the cities and towns where this means of communication had been adopted it was found that the measures taken resulted in a large reduction of the amount of the disease and the number of deaths. Such a means of notification would enable them to know where a disease had arisen and where it had spread from, and, if approved of, would naturally save hundreds of thousands of valuable lives. The rich towns could afford to come to Parliament for Private

Bills; but, in mercy to the poorer towns, he asked the House to give them the opportunity of checking disease in their midst.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hastings.*)

Mr. HOPWOOD, in moving that the Bill be read a second time on that day three months, said, he should resolutely oppose the Bill. It would have been far better if the hon. Member, instead of proposing this measure, had brought one in for removing the dens of disease in our large towns. He believed the charge against those who opposed the Bill was that they were retarding the saving of life by this proposal; but if the nests of disease were destroyed that would be a far better system to follow. His belief was that in the cities and boroughs where these provisions had been adopted in Private Bills, the bulk of the people had no knowledge of what was being done when the Bills were passed. Several large towns had expressly repudiated the use of the powers which the Bill proposed to confer upon them; and he believed that if what lurked behind this measure—namely, compulsory isolation —were known, the whole population would be up in arms against it. He believed that in Edinburgh they so applied this system, that when the medical officer felt difficulty in effecting compulsory removal, he placed a policeman at the door of the householder to inform the world that there was this or that illness in the place. After a while the people came very helplessly, and said—"Oh, doctor, we cannot fight you. It is true that it breaks our heart to let our child go; but you are starving us out, and therefore our darling must go." ["Oh!"] That was, in effect, Dr. Littlejohn's own evidence, and what he rejoiced in as showing his own acuteness, and his own power of managing these cases. He hoped the House had not got to the position of their Northern friends, who rejoiced in such arbitrary power as that. The Bill might be characterized as one of those "fads" for interference with personal liberty which were aired at Social Science Congresses. It was a first step towards compulsory isolation, and would have the effect of empowering the medical officer and Inspector of a parish to enter a home and remove any sick member of a family without regard to the feelings or wishes of its other members.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. HOPWOOD, resuming, said, the measure would be harsh and oppressive in its operation on the poor man, who, if one of the members of his family was attacked by disease, would have to inform the world of the fact, so that he would lose his employment, and would thus have starvation added to the other misery which invaded his humble home. The measure, moreover, would not really tend to check the spread of disease, because under it, in many instances, the poor man, when sickness visited his household, would not call in the medical officer, but would resort to the herbalist and botanist, who would keep faith with him, and would not make that disclosure of the case which would produce the injury to him that he dreaded. Again, the duty of notifying these diseases, if it was to be cast on anybody at all, ought to be thrown on the medical men; but the Medical Profession, in a Congress hardly less important than that over which the hon. Member for East Worcestershire (Mr. Hastings) so ably presided, objected to any such proposal.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after
Four o'clock.

HOUSE OF LORDS,

Thursday, 28th June, 1883.

MINUTES.]—Public Bills—*First Reading*—Turnpike Acts Continuance * (132).

Committee — Local Government Provisional Orders (No. 3) * (73).

Committee—Report—Local Government Provisional Orders (Poor Law) * (67); Local Government Provisional Orders (Poor Law) (No. 3) * (99); Local Government Provisional Order (Highways) * (103).

Third Reading—Marriage with a Deceased Wife's Sister (112), *negatived.*

PARLIAMENT—PRIVATE BILLS—STANDING ORDER No. 128.

OBSERVATIONS.

THE MARQUESS OF SALISBURY said, he wished to call their Lordships' attention to the Minutes of the Proceedings of the House on the 26th instant, relating to the discussion on Standing Order No. 128. As regarded that discussion, his recollection of what passed was entirely at variance with the fact, as stated in the Minutes, that, at the conclusion of the debate, it was moved and agreed to by the House—

> "That it is not desirable to alter Standing Order No. 128, or to substitute for Standing Order No. 128 a new Standing Order."

THE LORD CHANCELLOR said, he entirely agreed in what had been said by the noble Marquess (the Marquess of Salisbury) as to the inaccuracy of the record in question.

EARL GRANVILLE said, that his recollection was entirely in accordance with that of the noble Marquess opposite (the Marquess of Salisbury).

THE MARQUESS OF SALISBURY said, he would give Notice that to-morrow he would move that the Resolution in question be struck out of the Minutes.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 112.)

(*The Earl of Dalhousie.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3^a."—(*The Earl of Dalhousie.*)

THE DUKE OF MARLBOROUGH, in rising to move, as an Amendment, that the Bill be read a third time that day six months, said, he would not have been justified in taking up the time of their Lordships, in asking their attention to the subject once more, with a view to the reconsideration of the decision arrived at on a recent occasion, were it not for the narrowness of the division on the second reading, and the nearly equally divided opinion in their Lordships' House. When the question came before them on the second reading, the arguments that were used by his noble Friend behind him (Earl Beauchamp), in opposition to the measure, were of such a forcible, exhaustive character, that he felt he would be unduly trespassing upon their Lordships' attention if he were to endeavour to recapitulate any of the arguments that had been used in opposition to the measure, or go at any great length into the subject. But it was only fair to consider what had taken place since the second reading of the Bill. The Bill had been in Committee of the Whole House, and had there been subjected to a furbishing process at the hands of the noble Earl opposite (the Earl of Dalhousie), and altered in a variety of ways, especially in regard to its retrospective application. While, to some extent, it had assumed a new appearance, he could not say that it was improved in its character. In fact, he considered the Bill to be in its present form a monstrosity, and he was reminded by it of the words—

> "Ut turpiter atrum
> Desinat in piscem mulier formosa supernè."

Perhaps, before he went into the one or two objections that he might take with reference to the Bill as it stood, he might be allowed to say a few words, as he had not yet addressed their Lordships upon the subject—he wished to say a few words on what appeared to him to be the religious aspect of the question. He must admit, to a great extent, the force of the remarks which had fallen from noble Lords opposite, to the effect that it was difficult to discover, in exact terms, any definite and express prohibition in the Scriptures against these marriages which the Bill was intended to legalize; and, although the subject had been treated in a very light and airy, and, indeed, jocose manner by the noble and learned Lord opposite (Lord Bramwell), who always attracted the House by the pungency of his remarks, yet, at the same time, he thought it was almost a pity that they, who were opposed to the Bill, should endeavour to rest the objections to it upon grounds that, to his mind, could not be clearly proved, and to which exception might be taken. It had always appeared to him that, if a marriage of this kind was expressly prohibited by Holy Scripture, the prohibition would have been in so direct and unmistakable terms that "he who runs may read." He must admit he could not convince himself that any prohibition could be found in any such unmistakable terms. But it appeared to him, however, that there was an argument of a far higher and more weighty character that could be used, and that was this—that they knew the words that fell from the Saviour in regard to bigamy and the putting away of wives. If the law of Moses allowed practices of that character, in the same way it did not prohibit marriages of this kind. But they had arrived at a different state of things, and, with the sanction of Christianity and of the New Testament, they might say that old things had passed away, and that they had a higher law, and that a higher morality had been introduced. That was the ground on which they ought to test the religious sanction of these marriages; and that, he thought, was a far higher ground of objection than obscure passages of the Old Testament, or the mere presence or absence of an express prohibition. They had this exemplified in the law of the country. The noble and learned Lord opposite (Lord Bramwell) would find it difficult to find any passage of Scripture that prohibited the plurality of wives, yet he would not deny that bigamy was a crime. He (the Duke of Marlborough) contended that, whatever might have been the Mosaic which was framed for society in an untutored state, by asking them to alter the law on the subject, they were going back on the scale of society, and asking them to adopt a lower law than that to which Christianity had raised them. When they were in Committee on this Bill he was rather surprised at the view taken by the right rev. Bench in connection with the retrospective action of the Bill. One right rev. Prelate had spoken out in a high-minded and pungent, cogent argument; and he regretted that that right rev. Prelate had been taken to task for what had been called the hard-heartedness of his arguments. It was supposed that, by not making this Bill retrospective, a class of innocent children would be injured. But how did they find that this beautiful provision with regard to innocent children had been carried out throughout the Bill? Why, he found in the 2nd clause that where a man had been sufficiently guilty to repudiate the marriage that he had contracted with his deceased wife's sister, and had married another person, in that case it would not be legal; because that would involve bigamy; and the children of such a marriage, equally innocent and unoffending, and unconscious of the acts of their parents, were kept in illegitimacy. What did they find, again, in the 3rd clause, in regard to a more substantial matter? Why, that all children born of these marriages were expressly excluded from any participation in any property or devise that might otherwise have come to them. Therefore, they came to this state of things—that if a man had married his deceased wife's sister, and had three children before the passing of this Act, and had a fourth child afterwards, and if the man happened to die intestate, those children who had been born before the passing of the Bill, although they might be regarded as legitimate, would not take the property to which, if ordinary legitimate children, they would be entitled. If these were fair provisions, then he had nothing more to say on the subject. Another difficulty was that the children of two sisters were naturally cousins; but if they happened to be the children of one father they became brothers and sisters. The Bill, it would be seen, was full of inconsistencies and full of injustice; and the relationships which would be created, if it passed, would be abnormal. He believed the noble Earl opposite had stated that the universal view in America was in favour of these marriages. Well, he alluded to that point only because it was due to a gentleman who had addressed him by letter on the subject since the second reading of the Bill. Dr. Coleman, an American clergyman, of the Diocese of Ohio, who was at present in England, said—

> "As to the United States, will you allow me to say that there has been, for many years, among a considerable body of Churchmen, a decided and growing repugnance to such marriages; a repugnance openly expressed, and not more general only because the question has been but little discussed? Where it has been discussed, the antipathy to them has been enlarged and deepened."

And he went on to say that a very strong Resolution was proposed to be adopted by both Houses of the General Convention in October next, the declaration made by the House of Bishops in 1808—namely—

> "Resolved, that 'the old Table of Affinity and Kindred, wherein whosoever are related are forbidden in Scripture to marry together,' is now obligatory on this Church, and must re-

main so, unless there should hereafter appear cause to alter it, without departing from the Word of God or endangering the peace and good order of this Church."

That Resolution had been prepared by a Committee of the Church, and was about to be presented to the General Convention of the Episcopal Church of America; and a large portion of the American people looked with great interest to the vote their Lordships might give on that occasion, as bearing upon the decision which might be come to on the Resolution. But he thought their Lordships must look upon this subject from a wider and more general point of view. They had discussed the subject as if it were merely a social question, affecting the law of marriage, affecting society as it existed in this country, and their own feelings in their families. But he thought there was a wider view they must take of it; and he did not know that he would have troubled their Lordships with a few remarks on this occasion, were it not that he was anxious to present to them something of this wider and more general view. In a country like this, where we were most happily at peace with ourselves, changes were not brought about with any very great difficulty. The forces of revolution, although they might be strong and dangerous, did not come suddenly upon us as they did in countries where political passion swayed more powerfully the minds of the people; but they came with secret and insidious steps. He begged their Lordships to reflect upon this measure in a more serious view—as one of those approaches to secret, but not less sure, revolution that was coming upon this country. The other day an occurrence took place to which he wished to allude. It was an occurrence of great interest in Birmingham, where the respected and oldest Member for that town was received by his constituents with every demonstration of honour and respect. In order to celebrate that event, a dinner was afterwards held, at which a speech was delivered by a Minister of the Crown, who, speaking with a full sense of his Ministerial responsibility, uttered these words. He said he wished to draw a comparison and a contrast. He said he wished to compare the reception given to Mr. Bright at Birmingham with an occurrence—he would not say similar, but parallel—that had taken place in a neighbouring country—namely, the Coronation of the Emperor of Russia; and the words that that Minister of the Crown used were these—

"Pomp and circumstance were wanting; no public money was expended; no military display accompanied Mr. Bright; the brilliant uniforms, the crowds of high officials, the representatives of Royalty, were absent; and no one was sorry, for nobody missed them."

That was the opinion expressed by that Minister of the Crown with regard to the Crown of a neighbouring country; and, on the same occasion, this Minister stated that the Cabinet of which he was a Member—and this was an extraordinary secret for him to divulge—was more Radical than the House of Commons; and he proceeded to illustrate that statement by its perpetuating the existence of three great anomalies, which were these—The first was the exclusion of Mr. Bradlaugh; the second was the state of the representation of the people in Parliament; and the third was the Establishment of the Church. Now, this Minister, speaking, as he (the Duke of Marlborough) supposed, with a sense of responsibility, and thinking that the Cabinet, with whose opinions he was so well acquainted, was more Radical than Parliament, spoke for his Colleagues as well as for himself, and the words he used in connection with the third anomaly were these—

"The connection between Church and State exists in all its force and vigour; but I will undertake to say that if to-morrow you could poll the constituencies, the vast majority of the Liberal electors in the boroughs of the United Kingdom and the great majority of Liberals in the counties would be in favour of Disestablishment; and yet, I suppose, that if a Resolution to that effect were moved to-morrow, only a small minority would be found to vote for it."

["Very small!" *and laughter.*] Now, let him explain how the opinions he had quoted bore upon the subject before the House, which their Lordships were now asked to pass. ["Hear, hear!"] He was quite ready to enter into the argument upon the subject. Everything that related to anything in the nature of a prognostication of a portentous kind was always received with sneers. He would ask them to consider who were the supporters of this Bill. They might be divided into two classes. First, there were those who supported it from pure and conscientious motives, such as he had no doubt induced the noble Earl opposite and most of their Lordships who voted with him, and who believed there was a grievance, and that it ought to be removed. But there was another class of persons who supported this Bill, and they were the avowed enemies of the Established Church. The great body of Dissenters throughout the country supported the Bill, and Her Majesty's Government also supported the Bill. He had no doubt they did because the Dissenters were their friends, and they would not offend them. Now, let their Lordships see what the effect of this Bill would be if passed. In the first place, it would bring in a conflict between the law of the Church and the law of the land. Now, they knew what would be the consequence of that. There was another point. It was said—"If you pass this Bill, see what safeguards you have attached to it." He had seen a great deal of safeguards in his day. He had seen, from their own side of the House, a Reform Bill brought forward which was full of safeguards, and these safeguards had disappeared, very rapidly, one by one. This Bill had also safeguards, and one of these was that these marriages were not to be performed in churches. How did any rational man think that it would be possible to maintain that provision? There was a very strong feeling in the country about being married in church. A great many people thought being married in church sanctified the operation, and that a marriage in church was more a marriage than a marriage anywhere else. And that was a very proper and legitimate feeling. But now their Lordships put a stigma on the marriages dealt with by the Bill. They said they were lawful, that there was nothing in them contrary to the laws of God or man, yet they were not to be performed in church. The very first agitation that took place after the passing of the Act would be for the performance of these marriages in church. In that case, what would happen but this—that the clergy would not solemnize these marriages, and the duty would be left to Dissenting ministers? The beautiful Marriage Service of the Church would not be used for this purpose, but would be superseded by some other form, till ultimately they would have brought about a state of things which would imperil the relation between Church and State, and bring about the common use of churches, the great object for which every Dissenter in the Kingdom had long been striving, and which every Radical in the Kingdom desired should become an accomplished fact. He had no doubt a great many noble Lords on that (the Conservative) side of the House supported the Bill for very different reasons—because they did not look beyond the present moment, and thought merely that an injustice had to be redressed and a long-standing dispute to be settled, and that if they passed this measure they would get rid of the difficulties and disputes that were connected with the question. But he appealed to noble Lords on that side of the House, and asked them, in view of the circumstances which he had explained, to pause before they gave a vote to assist in passing the Bill. They had seen the opinions that had been expressed by a Minister of the Crown. They had seen the way in which these opinions had been treated by his Colleagues. They had seen the state of feeling out-of-doors. They knew that the passing of a measure of this sort could not stop there, but that it would involve the obliteration of all the decrees of the Church with regard to affinity; that it would put a nail into the coffin of the Church; that it would seriously weaken, if not annihilate, the connection between Church and State. He appealed to noble Lords to take a wider and a more general view of this question; and, even if they did but delay it for another year, let them give the country another year's breathing-time to consider this measure. Let them see whether new thoughts and lights might not arise, and a new and better sentiment. He would implore noble Lords not to precipitate the passing of this measure by their votes or by their voices on the present occasion, as by so doing they would run the risk of destroying the Church they revered and endangering the Throne they loved. He moved that the Bill be read a third time that day six months.

Amendment *moved,* to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Duke of Marlborough.*)

Lord HOUGHTON said, he deeply regretted the extreme and unusual course taken by the noble Duke opposite (the

Duke of Marlborough), in moving its rejection, on the third reading, of a Bill that had already been the subject of such exhaustive criticism and every form of Parliamentary discussion as the one under notice, and which, nevertheless, had passed safely through it. The noble Duke, at the end of his speech, had asked their Lordships to delay the measure; and that was, in truth, all that could now be asked by the opponents of the Bill. If the noble Duke, or anyone else, thought that the rejection of the Bill could bring to a close altogether the discussion, he could have understood that appeal. Or if he thought that the interest taken in the matter by Members of that House was confined to the number, however limited, of persons who, like himself (Lord Houghton), by the ordinary conditions of nature, could not expect long to exercise any part on the stage of public life, or of life at all, they might reasonably look forward to a change of opinion. But the case was all the other way. The measure had now passed into the hands of younger Members of the House, who illustrated, in a very strong way, the advantage of that hereditary condition of the House to which so many objections had been taken. It was a good thing that these men were determined, when the time came, to redress the injuries and to remedy the errors of their forefathers. As it seemed to him, the noble Duke had used arguments of a very dangerous character, and had ventured on prognostications which, if they were correct, pointed to a vital and prolonged agitation against the measure. If it was true, which he very much doubted, that the passing of the Bill would, in any degree, affect or diminish the relations between Church and State, the noble Duke could not be blind to the impetus which he had given to the large body of Nonconformists, and the additional force he had given to their arguments. His (Lord Houghton's) own belief, however, was that that would not be the result of the Bill; and he might remind the House that, considering the wrong the existing law had inflicted upon many honest men and women, nothing in the history of the 20 years' effort to pass the Bill, and the agitation consequent upon that effort, had been more remarkable than the conciliatory and moderate manner in which the proposed change had been advocated. ["Oh!"] He believed a great many years ago, when the measure was lost by the small majority of 4, there was some popular agitation; and menaces were held out to the right rev. Bishops that, if they persisted in their opposition, they would not long be Members of that House. But those who supported the Bill had tried their utmost to put a stop to that agitation, and had said that they would trust to time and reason, and that the House of Lords could not continue to sustain that outrageous Act commonly called Lord Lyndhurst's Act; and if the House now passed the Bill it would merely restore the country to the condition in which it was before the passing of that Act. He was convinced that the conviction of the truth of the Bible was just as deeply seated in the Wesleyans as among the Bishops; and the Wesleyans, they might say, had never wholly dissevered their connection with the Church of England. He, therefore, asked them to consider the effect the rejection of the Bill would have on the deepest feelings of a large number of honest men and women. The Nonconformists had declared that they were a religious Body, and that they believed that the rejection of the Bill would be an infraction of personal liberty. He left the measure in their Lordships' hands, with the earnest conviction that they would not inflict the greatest distress and dishonour on a large number of honest men and women, for a time more or less long, without the smallest chance of obliterating the memory of those debates from the heart and soul and consciences and affections of the British people. The wishes and desires of the great body of the Dissenters could not be disregarded; and the House would not, he hoped, take the unprecedented course of rejecting the Bill merely in order to delay it for another year. Practically, what they were asked by this measure to do was to repeal a law which imposed penance upon one generation for sins committed by another; and to propose its rejection at the last stage, after its principle had been affirmed on the second reading, was unprecedented and un-Constitutional.

THE DUKE OF ARGYLL said, that, while there was much in the speech of the noble Duke opposite (the Duke of Marlborough) from which he (the Duke of Argyll) did not wholly differ, he could not altogether concur in what his noble Friend had said, for to some of the arguments he had used he (the Duke of Argyll) did not attach any importance whatever. He chiefly, however, rose to protest against the doctrine laid down by his noble Friend (Lord Houghton), who had just affirmed that the Motion of the noble Duke was unprecedented and un-Constitutional. He (the Duke of Argyll), in contradiction to that assertion of his noble Friend, would say that it was strictly according to precedent that the opponents of a measure, who had been defeated on the second reading or in Committee, should try to rally their forces and record their votes against the measure on the third reading. Otherwise, why had Parliament provided that every measure should go through certain stages, if it were not to give to all Members of both Houses of Parliament an opportunity of debating the question on every possible occasion, and that the minority should have an opportunity of converting itself into a majority? On those grounds, he thought that nothing could be said against the course which his noble Friend the noble Duke had taken, so far as its legality or precedents were concerned. He would now pass from that to the consideration of the position in which they stood, and to the provisions of the Bill. He thought even those who opposed the Bill most bitterly would be disposed to agree that, in the hands of his noble Friend (the Earl of Dalhousie), it had been conducted, not only with marked ability, but with that good taste and that good feeling which, above all things, ought to guide their debates upon such a subject as this; and he must also do his noble Friend the justice to say that, in preparing the Bill for Report, he had faithfully carried out the promises into which he had virtually entered with various Members of the House when the Bill was in Committee. He had done his very best to remove the objections which were taken to the Bill by the noble and learned Earl (the Lord Chancellor) and by other Members of the House. But he had not succeeded, because no man could succeed, in removing all objections to the details of the Bill. The noble Duke (the Duke of Marlborough) had pointed out some of the anomalies which would be produced by the retrospective action of the Bill. Some children would be legitimized, and yet they would not be entitled to inherit the property of their parents. The Bill, in fact, was full of complications and difficulties that were inseparable from its principle. But he was not going to pursue this argument of detail. He found himself now called upon to say—"Am I content, or am I not content, that this Bill should pass into law?" And, feeling as he did, and thinking as he did, upon this question, he was bound to say that he could not, and he would not, say "Content." Under those circumstances, there were but two courses for a public man to take. He could absent himself from the Division, and leave other Members to vote as they pleased. He did not say there were not occasions on which a man might take that course; but, for his own part, he did not feel that this was an occasion on which he could do so. He, therefore, felt it due to himself to come down and explain to the House why he should say "Not Content" to the third reading of the Bill. He confessed that, great as were the objections that he felt to the measure—believing, as he did, that it was opposed to sound principle—he thought the objections were still greater to some of the arguments which had been used in favour of it. He confessed he experienced something of the unpleasant feelings of nausea, of lassitude, and fatigue which came over the mind when a question so disagreeable as this, so odious in many of its aspects, was raised year after year in both Houses of Parliament; and he was convinced that the change which had come over that House had been not so much a change of conviction, as a result of mere weariness and a desire to get rid of the question. He had himself felt the temptation to say that anything was better than to hear the continual discussion of the question; let it go. But when he came to think of the arguments that had been used by many of its supporters in that House, he could not help entering his protest, not only by vote, but by speech, against them. He had heard it said, in the first place, that the Scriptural or religious argument had been abandoned; and he thought his noble Friend who had charge of the Bill had dwelt upon a speech which was made by a right rev. Prelate last year, who always spoke with great ability and eloquence—his right rev. Friend who presided over the diocese of Peterborough. What did that speech mean—that the Scriptural argument had been abandoned. No; it meant simply this—that the authority of a particular text had been given up on this particular subject. That, he understood, was the only admission made by the right rev. Prelate last year. [The Bishop of PETERBOROUGH: Hear, hear!] But suppose they went further, and said that there was no particular text of any sort or kind, in either the Old or the New Testament, which forbade these marriages—did that, he would ask, abandon the Scriptural or religious argument? Decidedly not. His noble and learned Friend behind him (Lord Bramwell), who had a remarkable speech on the second reading of the Bill—a speech marked by all that vigour of intellect that was a great addition to the debates of this House, and which, he trusted, during many future years would be of still greater value to it—his noble Friend asked whether there was any prohibition of these marriages in Scripture, and said that when God desired to prohibit anything He knew how to express it. He also said there were many things prohibited in Scripture, such as "Do not steal;" and if it was intended to prohibit these marriages, they should have had some express prohibition. At the same time, others had said that, if there was such a prohibition in the Judaic law, we should not be bound by it. He (the Duke of Argyll) could not help thinking, when he heard these references to detailed principles, that it was not the opponents of the Bill, but its promoters who might be accused of Judaism. The latter appealed to the absence of direct prohibition. They desired to be guided always by some petty and verbal direction. That was the spirit of the Jewish Dispensation; it was not the spirit of the Christian Dispensation. "Thou shalt" and "Thou shalt not"—that was the language of the Jewish Dispensation. On the contrary, Christianity adopted a wholly different system. It laid down general principles, which were recognized by those who conscientiously read the sacred volume; and it left it to the conscience of the Christian world and to the wisdom of the Christian Church to give these general principles their legitimate application. He said that our whole civilization—at least, all that part of our civilization which was not concerned with mere property and civil law; all that part of our civilization which referred to moral obligations and the rules of Christian conduct—the whole of it depended on the general principles laid down by Christianity, and which had been enforced by the traditions and authority of the Christian Church. His noble Friend (the Duke of Marlborough) had reminded the House that there was in Christianity no prohibition of polygamy, and if they were determined to break down every barrier excepting "Thou shalt" and "Thou shalt not," they should soon come to have polygamy introduced into this Christian country. All the great Christian Churches, first the Greek Church, the Latin Churches, and all the Reformed Communions, had united in condemning this particular kind of marriage. It might be true that they had not a definite and express command in regard to it; but he would ask them this—could any man say that there was not a principle laid down in regard to this question, both in the Old and the New Testament? Was it not certain—could it be denied—that some of the prohibitions in these specific prohibitions which were contained in the Old and New Testament, and some of those denunciations which were contained in the New, rested entirely upon the analogy between affinity and consanguinity? That was so. Many of the prohibitions laid down in the chapter of Leviticus were based upon the ground that affinity was to be considered as consanguinity, and there were two allusions at least to it in the New Testament. In one passage, which had been referred to in the course of this debate, they found the Apostle Paul denouncing as a crime a union which was unnatural and incestuous solely on the ground of its being a matter of affinity. He next came to the objection of his noble and learned Friend behind him the other night, with regard to the form of words in which this doctrine had been laid down in the Christian Church, as to man and wife being one. He was sorry that the noble and learned Lord had unintentionally treated the expression "one flesh" with some ridicule and contempt, treating it as a metaphor. ["Hear, hear!"] He did not believe that his noble and learned Friend had intended to do so.

LORD BRAMWELL: It is a metaphor.

THE DUKE OF ARGYLL said, he agreed entirely with his noble and learned Friend. Of course it was; and what were metaphors? They were often the best expressions of the very highest form of truth. But a metaphor must not be pushed too far, for it might end in absurdity; and if the noble and learned Lord objected to that expression because it was a metaphor, he (the Duke of Argyll) supposed they should find him in a few years coming down and objecting to another metaphor—"The marriage tie." Perhaps he would come down and tell them there was no tie at all—that man and wife were perfectly free, that one party might be in one country, and the other in another country, and, therefore, there was no real tie, and that it was only a metaphor, so that they could loose their relations as soon as they pleased. Thus, from this argument against metaphor, they might slide into those doctrines about the facility of divorce which were so opposed to the doctrine and practice of the Christian Church, and which were the chief danger to the existence of marriage relations. For his own part, he maintained that, although the words that a man and his wife were one might be a metaphor, it was a metaphor expressive of a truth on which modern society was based—and that was, the sacredness of the union between man and wife. And he said that the further application of that principle was the principle of Christian jurisprudence, that a man should not marry a relation nearer to his wife than he could marry a relation of his own. That was a fair and legitimate application of the general principle for the regulation of Christian society. That was the view he took. It was not driving the metaphor to an absurdity at all; but it laid down a convenient rule and principle for the regulation of human society. Not holding the doctrines of his noble and learned Friend as to the absurdity of theology, or as to the necessity of not studying theology, he must say he was wholly opposed to changing the law against the united doctrines of all branches of the Christian Church from the very earliest times. He had never met yet one Member of that House, or one Member of the other House of Parliament, or anybody out-of-doors, who was in favour of this measure, who, when asked the question, did not frankly confess that he was willing to destroy all the degrees of affinity altogether, and get rid of them, and to rest the law on the degrees of consanguinity, these being reduced very much below the extent to which they were now kept. He would ask, was it not quite certain that, when they had pared down the prohibition against this particular degree of affinity, they would soon be asked to go further? Look at the consequences which would arise. Marriages would be demanded which, as they now stood, were disgusting to all of them. They might say that they were not likely, some of them, often to happen. He was not at all sure of that. Their Lordships might know cases in which a man was married to a woman with grown-up daughters, with regard to whom there was no enormous disparity of age. Would it not be thought entirely monstrous that such a man should marry his own stepdaughter? He believed his noble and learned Friend would himself recoil against such a union. Perhaps it might be said—"Oh! these unions are so unnatural that you may trust to the instinct and to the reason of mankind to prevent them." In his judgment, however, they could not trust to the reason and to the instinct of mankind. They could trust to the instincts of the lower animals, for they hardly ever went astray; but they could not trust to the instincts of man, for the very reason that he had reason, and that his nature had become corrupted. But, perhaps, when he mentioned the corruption of human nature, his noble and learned Friend would say—"Oh! that is theology; and I care and know no more about theology than I do about astrology." But the corruption of human nature—was that a doctrine of theology? It was more. It was also a fact in natural history. They had heard a great deal lately of Jupiter and Saturn, and of the principle which was regulating those planets. But supposing a naturalist coming from Jupiter or Saturn, and describing the inhabitants of this earth. Of man alone, and not of the lower animals, could he say that he had instincts and energies which were constantly leading him to a course of action injurious and prejudicial to himself, and to the family and race to which he belonged. Theologians gave a reason for that corruption. That would be a question of theology; but the fact of it was a question of natural history; and he said that, in the light of that fact, they could not trust, on this subject of the relation of the sexes, to the reason and instincts of mankind. He thought if these horrible unions to which he had referred, and which would disgust even his noble and learned Friend, appeared horrible to them now, it was because their feelings of horror, their sentiments, and their opinions as to the moral obligations of men had been built upon the doctrines and teachings of the Christian Church. But his belief was that when those were abandoned the horror would gradually disappear, and that, year after year, we should sink to a lower depth on this great subject of marriage. Feeling strongly on this matter — thinking nothing of any of the arguments which he had heard in favour of the measure, seeing their utter fallacy in point of argument, and their inapplicability to the condition of man, as he knew it to be, he should most heartily, over and over again, say "Not Content" to the third reading of this Bill.

LORD BRAMWELL said, he had little expected that what he said to their Lordships the other night would attract so much attention, or be thought worthy of so much notice by the noble Duke (the Duke of Argyll). He should have a word or two to say as to the fault which the noble Duke had found with him; but, before doing so, he desired to address himself to one argument which had been used, and which might be put into this shape — "Where are you to stop? Where are you to draw the line if you permit marriage with a deceased wife's sister?" He hoped their Lordships would consider what an argument that was. What did it mean? It simply meant this—"You may be right, but we will not do what is right, or discuss it with you, although it is right, because, should it be allowed, at some future time we may be asked to do something which is not right, and we shall not have the sense and courage to resist it." Let them see how that argument worked. If there were a Divine prohibition of these marriages, either in direct words, or to be inferred, then there was an end of the matter, and they need not consider what might happen afterwards. They ought to say at once—"No; it shall not be done." If, as he firmly believed, there was no Divine command against these marriages; and if they had to consider whether the allowance of such marriages was desirable for the happiness and morality of the community, he maintained that they must consider the question independently of what would be said hereafter. If that was the question, they must consider it by what was to be adduced on its own merits, and those merits were entirely in favour of the proposal of the noble Earl beneath him (the Earl of Dalhousie). They were not there to provide a Code of Marriage Laws; but they were there to correct what he believed was a most grievous social mischief. It led to misconduct, which many people were actually driven to through the circumstances of their position in the world, as they had not got a second room in which to put the woman who was necessary to take care of their children. Their Lordships were called upon to redress that mischief. As for the people who were better off, he frankly admitted that they ought not to have contracted these marriages; and, therefore, he had less sympathy with them than he had for those who had been driven into marriages of this kind. He agreed that the well-to-do classes ought never to have contracted such marriages; but there was a wide difference between such unions and marriages which were repugnant to one's feelings altogether. The other night he advisedly used an expression which had been called coarse. It was, however, proper to apply that expression to a passion which was hateful and loathsome, and which no law could render otherwise even if it permitted its indulgence. But with regard to the people who had contracted marriage with a deceased wife's sister, he maintained that their passion—which was the right word to use in this case—was one to which there was no objection, except that the law made its gratification unlawful. On the last occasion on which he had spoken he had been charged with joking, and of not treating the matter with sufficient seriousness; but he was far too much in earnest on the subject to joke. What he had done was to lay bare certain arguments which had been used before their Lordships, and when he had done that it seemed laugh-able, and some noble Lords laughed. Was that his fault? Was an argument to pass unnoticed because it was ridiculous? Then he had been brought to task by the noble Duke about what he had said on the subject of theology—that he had spoken slightingly of theologians. Well, he adhered to that remark. Without wishing to say anything that might appear to be unpleasant, he would remind their Lordships that, in theology, a variety of doctrines were laid down—he did not say whether they were true or false, intelligible or unintelligible—some might think them unintelligible, but which had nothing in the world to do with our daily conduct in life towards God or our neighbour, and which the world would have gone on just as well without, of which also he might say that they had been the cause of more misery and unhappiness to man than anything that existed. That was why he had said that he had no admiration of theology. It was said that Professors of Law and Medicine were necessary, and, therefore, why not in religion? But law and medicine were human, while religion claimed a Divine origin. He sincerely hoped that their Lordships would now read the Bill a third time, and thus get rid of what he firmly believed had been productive of nothing but immorality and misery.

The Bishop of WINCHESTER said, that the noble and learned Lord (Lord Bramwell) had parried with, and had speedily disposed of, the question of whether there was in the Bible any Levitical or religious prohibition of these marriages at all. He (the Bishop of Winchester) was not going to inflict a theological argument on the House; and he would endeavour to confine himself to history and common sense. For several years, and especially this and the last year, it had been triumphantly stated that the religious argument had been abandoned. This statement, indeed, the noble Duke (the Duke of Argyll) had eloquently brushed away. But he (the Bishop of Winchester) wished emphatically to state that the Bishops and clergy of the Church of England rested the case almost entirely on religious grounds. If the case did not rest on religious grounds, he, for one, should not so earnestly have opposed the Bill. In the first place, every orthodox Church and every tolerably orthodox sect in Christendom held the doctrine that the moral law of the Old Testament was binding upon Christians, and that the New Testament was the development of the Old. There was a famous saying accepted in the Primitive Church—*Novum Testamentum latet in Veteri Testamento, Vetus Testamentum patet in Novo.* Then came the question, whether there was any moral law in the Old Testament concerning incest and marriages of affinity. It would be very strange if no prohibition of incest was to be found. If it was to be found anywhere, it was certainly in Leviticus XVIII. It had been held universally in the Church, from the 1st to the 17th century, that the Levitical Code contained in that chapter was a code of moral law and moral obligation, and one that was binding upon Christians. The noble and learned Lord had said that there was not in the Levitical Code any clear prohibition of marriage with a deceased wife's sister, such as would surely be found if it were contrary to God's will. In that case the noble and learned Lord maintained that it would be clear as when it said—"Thou shalt do no murder." Would he apply such an argument to the laws of England? If nothing was law in England but such as was expressed in terms so clear as that, there would probably be no need of that noble Profession of which the noble and learned Lord had been so distinguished a member; probably there would not even be need of the Judges of the land. The noble Duke (the Duke of Argyll), who had just spoken so eloquently, had truly pointed out that in morals we must have recourse to general principles. And in Leviticus XVIII. general principles as to marriages of consanguinity and affinity were clearly laid down, and examples were given for the application of those principles. "Thou shalt not approach to any that is near of kin to thee" was the great principle. Then three degrees of consanguinity were named as forbidden—namely, parent with child, brother with sister, uncle or aunt with niece or nephew. Next, exactly the same three degrees of affinity were specified and illustrated. Every example was not given because it was not necessary. If it were said that "wife's sister" was not expressly named, but only inferred from "brother's wife," it must be remembered that there was no distinct prohibition of a man's marrying his own daughter; it was inferred from and implied in a man's not marrying his mother. This 18th chapter (from v. 6 to v. 17) hedged round the whole circle of the home and the family within these three degrees of consanguinity and affinity, and made all within it sacred and pure. There were only two arguments of any weight against all this. One was that "they were not Jews." In one sense, no doubt, they were not, as the noble Duke had pointed out; but in another they were. A very distinguished statesman, who, not long since, had led that House —the late Earl of Beaconsfield—had said of himself that he was a "developed Jew." So, truly, they were all developed Jews. All the privileges and all the moral obligations of the Jewish Fathers still were theirs, only expanded and intensified. The other argument was based on the famous 18th verse of the same chapter—a verse which it was the fashion to quote as if it simply repealed, as regarded this particular degree of affinity, the whole of the principle first laid down in the preceding verses. Now, that 18th verse was an extremely difficult and most ambiguous verse. It seemed difficult to fit it in to the rest of the chapter, and it was capable of at least four different interpretations. He protested against the argument that a clear and complete code of law could be repealed and annulled by one difficult, doubtful, and ambiguous sentence. Then, the Bill was extremely illogical, and was sure to lead to further consequences. It was illogical to permit marriage with a sister-in-law, and to retain the prohibition of marriage with one further removed—a niece-in-law or an aunt-in-law. As to the view which Christians had taken of this law, it was not too much to say that all Christendom, for the first 15 centuries, was unanimous in its belief that these marriages were forbidden by the law of God. They had proof of this in very early days. Some of the very earliest Canons and Councils forbade them. They possessed the testimony of a very eminent man—St. Basil —theologian though he was, in the 4th century, that it had been held from the first that such marriages were to be forbidden and detested. As soon as the Roman Empire became Christian under Constantine, the laws of the Empire were conformed to those of the Church, and these marriages were strictly prohibited. The Latin Church forbade them from the first. The Greek Church forbade them, and still forbids them, permitting no dispensation. The history of dispensations was that, in mediæval times, the Church had added new restrictions, such as the prohibition of the marriages of cousins, and even of godfather with godchild; so that the burden of such prohibitions became intolerable. Dispensations against these new restraints became inevitable; and, at length, in the 15th century, Alexander VI., the greatest monster that ever sat on the Papal Throne, and, perhaps, on any Throne, gave a dispensation to a Prince to marry his sister-in-law. But it would be said that all this was ancient and superstitious, and that the relaxing of these restrictions came in with Protestantism and the Reformation. No; it was not Protestant. Luther, the special Protestant, who was very lax in his notions of marriage, and even permitted bigamy, he and Melanchthon and other Lutherans opposed and rejected these marriages. So did Calvin and Beza, and all the Calvinist Reformers. So, he need not say, did the Anglican Reformers, to whom they owed the Table of Affinities affixed to their Prayer Book, and hung up in their churches. No; it was not at the time of the Reformation; it was in the 17th century, in the most corrupt age of German morality, that these marriages were first permitted in Germany, and then in other Continental Protestant countries. They had been permitted in Germany, in Holland, in America, and elsewhere. In those countries marriages in almost all degrees of affinity were permitted, and even in some degrees of consanguinity, as between uncle and niece. Those marriages, it had been said, gave great satisfaction in those lands. The noble Duke who moved the rejection of the Bill (the Duke of Marlborough) had shown that that was not true of thoughtful Americans. He (the Bishop of Winchester) had had similar letters and books sent him from America, and knew how much many Americans deplored the state of their Marriage Law. As to Germans, in evidence before the Commission which sat on this subject some 35 years ago, Dr. Pusey said that he had asked a

German Doctor of Philosophy about these marriages of affinity and other Marriage Laws in his country, and the answer was—"It makes a German cover his face in his hands for shame." The change now imminent in the law which had governed England for 1,200 years and the Christian Church for 1,800 years was fraught with peril to society and religion, to the Church and to the nation. Noble Lords would, perhaps, say that such an augury now came only from theologians. Then he would refer to one who, not long since, was much honoured in that House, who then occupied the place so worthily filled by the noble and learned Earl on the Woolsack. He was a very good man, a very wise man, and he was a very advanced Liberal; and he said that if this Bill for Marriage with a Deceased Wife's Sister ever became law, the decadence of England was inevitable. Lord Hatherley said that; he wrote it, he printed it, he often repeated it. Surely they ought to pause before making such a change. If once the change was made, it must be remembered that the step would be irrevocable; it could never be retraced. *Facilis descensus Averni, sed revocare gradum superasque evadere ad auras, hoc opus, hic labor est.* Nay! it was hopeless, it would be impossible. If they once "put out the light," the light of Christian truth, the light of the law of God, they knew not where was that Promethean fire which could its former light relume. He trusted that, even late as it now was, they would refuse a third reading to the Bill.

THE EARL OF KIMBERLEY said, he hoped the House would allow him to say a few words upon the Bill, as he happened to have had charge more than once of a similar Bill. He, therefore, had the advantage of remembering the variety of conflicting arguments used against the measure. Not the least remarkable of that singular conflict of opinion was to be found in the eloquent speech of the noble Duke behind him (the Duke of Argyll) and the speech of the right rev. Prelate who had just addressed the House (the Bishop of Winchester). The noble Duke had taunted them with entertaining feelings of Judaism. He had thrown to the winds the argument from the whole Old Testament, and said he went upon some broader principle of his own.

THE DUKE OF ARGYLL said, his noble Friend had entirely mistaken his argument.

THE EARL OF KIMBERLEY said, he was at a loss to imagine what his noble Friend could mean when he spoke about Judaism; he was, in fact, far more mystified by his noble Friend's explanation than by his speech. He believed that there were some who now abandoned the arguments derived from Leviticus; but the time was when that was the principal argument brought against the Bill year after year. The right rev. Prelate the late Dr. Wilberforce always argued on that ground with great force and power, and they were now brought back to the same contention by the right rev. Prelate who had last spoken. He (the Earl of Kimberley) wished to know, if these marriages were to be treated, as many people did treat them, as tantamount to incestuous marriages, forbidden upon some general principle of affinity by the Divine law, upon what possible principle they could justify the direct command contained in Leviticus, that under certain circumstances a second brother should marry his deceased brother's widow? If that was a Divine precept, what became of their argument about Leviticus; what became of the doctrine of affinity? If it were not, then what right was there to say that they were bound by the spirit of the doctrine in Leviticus? He thought it was far better that they should abandon that line of argument, which was derogatory to their respect for Divine law. The noble Duke behind him said he had never found anyone who supported this Bill who was not prepared to admit, if they passed the Bill, that they must do away altogether with the prohibition of marriages of affinity. The noble Duke might now say that he had found one, for he (the Earl of Kimberley) had no hesitation in saying that, though he was in favour of the Bill, he did not in the slightest degree admit that, in consequence, his action was to be construed as being in favour of all marriages of affinity. Was he to be told that, because he supported this Bill, he was bound to support the marriage of a man with his stepdaughter? He utterly repudiated any such notion. His noble Friend first elevated the principle of affinity into a Divine doctrine, and then turned round and said—"You all admit my principle of affinity, so you must follow it into every step and entirely enforce it." With that proposition he could not in the least degree concur. He denied the general doctrine, and he denied its application. The noble Duke opposite (the Duke of Marlborough) taunted the Government, and asserted that they supported this Bill because it was a Nonconformist's Bill. When they were told that there were vast bodies of Nonconformists in the country in favour of the Bill, could they believe that this Bill was one which no Christians and no Christian Church would support? Were the Nonconformist Bodies not entitled to be considered as Christians and as Christian Churches? His noble Friend behind him (the Duke of Argyll) had alluded to the "marriage tie" as a metaphor. But it should be recollected that the "marriage tie" was one from which a man could not unloose himself when once tied by any legal process except divorce. What the noble and learned Lord (Lord Bramwell) meant was that it was extremely unsafe to make logical deductions from a metaphor; and if it were done, it would inevitably lead to ridiculous results. He therefore hoped that the House would assent to the third reading of the Bill.

THE BISHOP OF LINCOLN said, that having, unfortunately, the unenviable distinction of precedence of old age over almost all his right rev. Brethren, 22 in number, who were present at the second reading of the Bill, he then felt prompted, however disqualified by infirmity, to trespass on their Lordships' patience. He, however, was deterred from doing so; but now, perhaps, he might crave their indulgence for a very short time. The noble Earl who moved the second reading of the Bill (the Earl of Dalhousie) referred with courtesy, but with censure, to the action of the Bishops with regard to this measure. He brought two charges against them. His first complaint was that the Bill was prevented from becoming law a year ago by their votes. The second complaint was that some Bishops had stirred up agitation against it in their dioceses. He (the Bishop of Lincoln) did not venture to claim for the Bishops a right to intervene in purely political questions; but he presumed to think that there were other matters even of greater importance than political questions. These were questions of Divine law, which were of the highest concern to a State, because the welfare of a State depended on the Divine blessing, which was promised to obedience to that law. On such questions as these it was the duty of the Bishops to speak; and foremost among such questions were those which concerned marriage. The opinions of the Episcopate on such matters were, he conceived, entitled to respectful consideration. He ventured to claim it, as a merit for the Episcopate, that they had averted, even for a single year, what he feared would prove a great national calamity. To his mind, among the most cheering circumstances of the Division on the second reading of the Bill were these—first, that it was opposed by the highest judicial authorities in the Realm—the noble and learned Earl on the Woolsack (the Lord Chancellor), whose admirable speeches delivered on former occasions would be fresh in their Lordships' memories, and the noble and learned Earl (Earl Cairns), whose magnificent oration, in moving the rejection of this measure, must have excited the admiration of even those who dissented from its conclusion, and that of the noble and learned Lord the Chief Justice of England. And the next subject for congratulation was that at the second reading of the Bill not a single Bishop voted for it, and 22 Bishops were united in voting against it. With regard to the other complaint that had been made by the noble Earl (the Earl of Dalhousie), he owned to have felt rather uneasy. The charge was that some Bishops had stirred up agitation in their dioceses against this measure. He confessed to having been a heinous culprit, a flagrant offender, in this respect. At every one of the five triennial visitations of his diocese he had never failed to warn the clergy and laity against this measure as contravening the law of God revealed in Scripture, and interpreted and maintained by the Christian Church for 1,500 years. Why had he done this? Because he had pledged himself solemnly at his consecration to banish and drive away erroneous and strange doctrines contrary to God's Word, and because he would not have been true to that pledge unless he had done so. He confessed, also, to having been guilty of delivering an address of warning against the measure at the Lincoln Diocesan Conference, which had, he believed, been widely circulated. He acknowledged, also, to have been guilty of putting forth a special form of prayer in that diocese for the maintenance of the Divine Law of Marriage. If this was to be called factious agitation he must be content to be branded and denounced as a factious and incorrigible agitator, for, with the help of God, he did not intend to desist from such agitation, so that in order that, if this Bill should become law, its bad effects might be neutralized by the moral and religious practice of society, raised above the level of the law. Hitherto the Divine Law of Marriage, which was grounded on Holy Scripture, and maintained by the Christian Church, but which had been unhappily banished by the secular Powers of Germany and America, and some of our Colonies, had found a refuge and asylum in England and a shelter in their Lordships' House; and if their Lordships had conferred no other benefit than that on society and Christendom, they would be entitled to immortal honour and gratitude on that account. Now, however, it was to be feared that England, as represented by their Lordships, would be content to surrender her noble prerogative, and to descend from her high pre-eminence among the nations of Christendom, and to sit down as a learner at the feet of Germany and America, which had made terrible havoc in the Divine Law of Marriage, and were reaping a miserable harvest from their own acts. What would be the result? A double disruption—first, a breach in the Law of Marriage, and no one could say how far that breach might extend; and, secondly, a conflict between the law of the State and the law of God as received by the Church—in other words, a disruption of Church and State. That would affect our other national institutions; its results might be felt even in their Lordships' House, and by the Monarchy itself. For more than a quarter of a century he had given careful attention to this subject, and he was firmly convinced that the Bill was an infraction of the Divine law; and as he was sure that violations of the Divine law were always followed by visitations of Divine punishment, he had felt it to be his duty to raise his voice, in the Divine name, against the Bill.

Earl FORTESCUE said, that, consistently with the views he had entertained, and the action he had taken on the subject for the last 40 years, he should support the Bill, as he had always done, mainly on religious grounds; and he should have done so equally had he thought, which he did not, that the balance of argument was with those who believed these marriages to be prohibited by Scripture. It was unquestionable that many pious and learned divines had taken the opposite view, and that such marriages were celebrated with the sanction of the greater number of Christian Churches at the present day. Of course, any person contracting such a marriage, when forbidden by the laws of his country, committed a sin. But the Legislature had no right in such a case thus to make that a sin which need not be a sin, and incurred a fearful responsibility in doing so, when they remembered Whose were the Divine lips that said—"Woe unto them through whom offences," or, more correctly, "creations of stumbling, shall come!"

The Bishop of EXETER said, he felt bound in conscience to speak on the subject, and he would not detain their Lordships many minutes. If anyone would look over the whole of the controversy, which had now gone on for many years, and observe the course of the debates in that House, he would feel struck by this fact—that, whatever arguments were adduced in favour of the Bill, never, on any single occasion, had there been any clear statement by its supporters of the principles upon which the restraints on marriage, so far as they were still maintained, were henceforth to rest, and were henceforth to be defended. They could not find on what ground they were to stand. The noble and learned Lord who had lately spoken (Lord Bramwell) urged that they ought not to look to future legislation as following upon the present, but that they should consider whether this thing was right or wrong in itself. But he (the Bishop of Exeter) would warn their Lordships that it must be observed that this Bill went, and from the nature of the case must go, far beyond deciding whether or not this kind of marriage was right in itself; it necessarily touched the principle upon which all marriage relations were based. It was impossible, if they struck down that rule in one particular instance, to maintain the general principles upon which all others had hitherto been defended. And, therefore, it was absolutely necessary to take into account not only the particular things which this Bill would sanction, but how it would affect the general Law of Marriage. In all cases they must take into account not only the direct, but the collateral consequences sure to follow on their legislation. They must look over the whole field, and consider whether, in doing something that was good, they might not do something that was evil, and they must regard all that came out of their legislation. But, in the present case, as he had said, this Bill took away from them the ground upon which they stood. Though this question had been discussed so long, perhaps their Lordships would allow him to state the principle on which this Marriage Law depended. The principle began with the consecration of the family; the purpose was to defend and guard the household, to consecrate the circle within which there should be the warmest, the strongest, the deepest affection, but not the very slightest touch or breath of passion, within which they should live as the angels in Heaven. It was to be a circle within which they should neither marry nor be given in marriage. That was what had consecrated all those restraints. And then it followed immediately that when one of this consecrated circle married, he brought his wife under the same consecration. She was to come there, and to find in her husband's father and mother a new father and mother, and in her husband's brothers and sisters new brothers and sisters. And she, too, should be consecrated in their eyes, and there should be the deepest and warmest affection between them, which should never be touched by the breath of passion. So, too, when the wife married, she brought her husband within the same consecration. Part of her joy and delight was that she was giving her mother a new son, her brothers and sisters a new brother, to be hallowed and blessed by this consecration proceeding from the Divine law. Here was a principle which they knew they could defend, and limits so clear that they found them in the Bible plainly set forth—on the one hand, the doctrine that the husband brought the wife under the shield of this law, clearly stated in the Old Testament—and on the other, by words to which it was impossible to give any other meaning, the words of Our Lord Himself, that whatever might have been the case in the past, thenceforward man and woman, in accordance with the original consecration in regard of this matter of marriage, were to be precisely on the same level. If any man was not content with these two intimations of the Divine purpose, he did not see how it was possible that such a man could use the Bible at all. He did not deny that, 20 years ago, if he had been asked for an opinion on this subject, he should have said that though he could not bring himself to approve these marriages, he did not quite clearly see why it was that they were forbidden. But every successive year of study had always wrought the conviction deeper and deeper in his mind what was the Divine purpose in the matter. He felt the force of what had been said by the noble Earl who spoke just now (Earl Fortescue), that they had no right to make that a sin which was not a sin. But it was not only clear to him (the Bishop of Exeter) that the Christian Church was justified by the Bible in forbidding those marriages, but the reason was clear why they were forbidden. They were now asked to break in upon this principle, and to substitute what? Their natural instincts. He was thankful that we had such instincts—they were of the highest value. There was no question that those Marriage Laws would long since have passed away if these instincts were not in the human mind. But it was preposterous to expect that all these instincts should be of equal strength. With regard to marriage between a man and his mother, the instinct was in the fulness of its power — everyone admitted its force. But as they went further and further away from what was the centre of the consecrated domestic circle, it was only natural that these instincts should become weaker and weaker. It was unmistakable that they varied from age to age and from nation to nation. Most of us looked upon marriage between an uncle and niece with exceeding horror; but there were people who did not regard it with horror at all. They had been just told that the marriage of a man with his stepdaughter would be looked upon with very great horror. But there were not a few who would say—"What is the woman to him? She is not of his blood. Why should he not marry her?" They must look elsewhere for the foundation of the law—in the Word of God. It was as clear as anything could be that if they were to have a definition of the line within which those restraints were to operate, it must be the line adopted by the Church from the beginning. That was the only line that they could draw. Now, he did take the very deepest interest in this matter, because he believed that there was nothing in the world which touched upon the purity of family life so closely as legislation of this kind in regard to it. He believed that, sooner or later, it must inevitably follow, if this measure became law, that there would be attacks upon the sanctity of marriage, and that they should be asked to grant facilities of divorce to a far greater degree than were granted now. He noticed, at any rate, that in the countries where such marriages were allowed, those facilities of divorce were also allowed. Whether, indeed, the mischief began at one end or the other did not much matter; but, at any rate, they might be quite sure that before they passed a law of this sort, they should attempt to lay down the principle on which it was to rest, because the passing of the Bill would not finally settle it, but there would be a series of attacks upon the sanctity of marriage and upon its limitations, and they could not foresee to what lengths all this might go. He was looking, only a little while ago, at a Message of a Governor of one of the States of the American Union to the Legislature of the State. There was a proposition before the Legislature for dealing in a particular manner with the property of divorced persons, and the Governor remarked that already things had come to such a point that marriages were contracted almost with the expectation that they might very soon be dissolved, and his objection to the proposition was that it would make the dissolution of marriages so easy that marriage would cease to be a permanent contract. The sanctity of marriage was preserved and upheld by the sense that the institution itself was something Divine and above human law; that by it men and women were united by a power that had its sanctions on earth, but rested on a higher authority. The greatest caution, therefore, was needed in touching such legislation as this, lest by-and-bye it should be found that the remedy for the evils of which the noble and learned Lord had spoken were dearly purchased by the degradation of religion and morality. In those countries where there had been any relaxation of this kind, they would find that, even if the surface were smooth enough to the eye to enable them to say that morality and decency were the rule, yet the solemn and holy bond of matrimony was not looked upon as it should be, and was no longer what it had been and ought to be. He had always advocated what had been called measures of progress, and he believed in the progress of the people, and that in their progress they would find true elevation; but all depended on its being true progress, consistent with pure morality; and it was the duty of everyone who held that the morality of the people was now in danger to protest with all his strength, as he did, against the passing of this Bill.

THE LORD CHANCELLOR: My Lords, I will not detain your Lordships for more than a very few minutes from the Division which will now take place; but, having on many former occasions in "another place," and once in this House, expressed my opinion on this subject, and this being possibly the last opportunity which I may ever have of doing so, I cannot reconcile it to my conscience not to add my voice to the voices of protest which have been addressed to your Lordships against this Bill. My noble and learned Friend (Lord Bramwell), with whom I am always sorry to differ, and with whom I am always glad to agree, said that your Lordships were not here on this occasion to construct a Code of Marriage Law. That is perfectly true. We are not asked to construct a Code of Marriage Law, but we are asked to destroy one. The present Code of Marriage Law is, as my right rev. Friend (the Bishop of Exeter) has said, consistent with itself, and rests on an intelligible principle. If you pass this measure, you abandon its principle, and you destroy its consistency. And, my Lords, it is not merely an idle argument as to imaginary dangers and consequences, which those use who try, and try in vain, to bring the advocates of this measure to state what is the principle on which, in their judgment, the law rests, or ought to rest; it is not any mere cavil which leads us to say that we, at least, can find no principle, no resting ground for the sole of our feet, between this measure and the total abolition of all prohibitions in cases of affinity. I have always felt that the social, the moral, and the religious considerations bearing on this question are inseparably connected with each other; and the moment you attempt, for the purpose of facilitating any one single kind of marriage, to sever those considerations, and to deny that religious or moral considerations affect it, to my mind it is an inevitable consequence that you will be unable to maintain them as applicable in other cases, in which other civilized communities have dispensed with other prohibitions which, for the present, you propose to maintain. I will not, however, rely only on my own apprehensions in this case; that they are amply justified will be at once seen by the House when I have read part of an article which appeared in an extremely able, consistent, and advanced journal—*The Pall Mall Gazette*—on the day after the second reading of the Bill, of which it approves. On June 12, *The Pall Mall Gazette* said—

> "There is no doubt that a movement is going on all over the world for the relaxation of the strictness of the conjugal tie. Protestant countries have always had a tendency to be laxer with regard to it than Catholic countries; but no Protestant country in time past has gone such lengths as some States in America now do, and some of our Colonies seem inclined to do . . . . That there is a critical issue before the civilized world in relation to the sanctity of marriage is very probable."

I should not like to have it on my conscience that I had accelerated the progress of that movement in this country. As for the consequences of this kind of legislation in the future, the same journal, a few days later, printed the letter of a clear-sighted and intelligent correspondent, who thus wrote—

> "The only legal preventive to love and barrier to marriage is, or ought to be, consanguinity. No Act of Parliament can make a sister-in-law into a real sister. Consequently, a man has no right to be more intimate during marriage with his wife's sister, than with his wife's cousin, friend, or young lady visitor."

Thus it is not only those who oppose the Bill, but those who support it, who foretell the breaking up of these, which to so many in all classes, and to myself among the number, are among the dearest, the most sacred, and most intimate domestic relations. I, for one, am not willing to renounce, or to have taken from me, the right to be more intimate with my wife's sister, than with her cousin, or friend, or lady visitor. Having said this much, which I felt I could not avoid saying, I must necessarily give my vote against the Bill.

On Question (leave being given to The Lord Middleton and The Lord Mostyn to vote in the House)?

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Resolved in the *negative;* and Bill to be read 3^a on *this day six months.*

ARREARS OF RENT (IRELAND) ACT, 1882—THE IRISH CHURCH FUND.

QUESTION.

THE DUKE OF ST. ALBANS asked Her Majesty's Government, Whether they can state if there will be a balance remaining of the Irish Church Fund after meeting the payments under the Arrears Act; and, if so, what sum it is estimated the surplus will amount to?

LORD THURLOW: My Lords, I beg to say, in reply to the noble Duke, that the applications under the Arrears Act having fallen much below the estimate formed last year, the income of the Irish Church Estates is sufficient to bear the interest and sinking fund on the sums raised in addition to the other charges imposed thereon by Parliament. The actual position of the Irish Church Fund is shown as clearly as possible in the Treasury Minute, dated June 16, 1882; and there is no reason to anticipate any departure from the Estimates in that Minute, except that the advances under the Arrears Act are not expected to exceed £910,000.

House adjourned at a quarter past Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 28*th June*, 1883.

MINUTES.]—SUPPLY—*considered in Committee* —ARMY ESTIMATES, Votes 9 to 14; NAVY ESTIMATES, Vote 15—R.P.
PUBLIC BILLS—*Resolution in Committee—Ordered —First Reading*—Companies Acts Amendment * [246].
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Considered as amended—Friendly, &c. Societies (Nominations) [228].
Withdrawn—Public Buildings (Doors) [239].

QUESTIONS.

VACCINATION ACTS—WILLIAM H. KENNARD.

MR. P. A. TAYLOR asked the President of the Local Government Board; Whether his attention has been called to the imprisonment in Portsmouth Gaol of William Henry Kennard, of Shoreham, Sussex, for the non-payment of a fine under the Vaccination Acts, he having already paid 35*s.* on account of the same child, the sentence having been passed by the Steyning Bench of Magistrates, and the said W. H. Kennard having been compelled to pick oakum and to lie upon a plank bed; and, whether any circular has been issued by the present Government, addressed to Magistrates or Guardians, in deprecation of repeated prosecutions under the Vaccination Acts?

MR. GEORGE RUSSELL: If the hon. Gentleman will allow me, I will answer this Question. The Local Government Board have made inquiry, and find that, after repeated warnings, proceedings were instituted against William H. Kennard, in May, 1882, for not complying with an order of the Justices for the vaccination of his child. The fine imposed with costs after warrants of distress and commitment amounted to 35*s.*, and this sum was paid. Proceedings were again instituted in May of the present year. Kennard pleaded guilty, and was fined 20*s.* and costs, and, in default of distress, was sentenced to 14 days' imprisonment. The return to the warrant of distress was "No goods." Kennard was supposed to leave Shoreham for Brighton, and gave at the police-station an address at Brighton which was found to be false, and he was subsequently apprehended at Shoreham. The warrant of commitment did not impose hard labour, and it is untrue, as stated in the Question, that Kennard had to sleep on a plank bed. The superintendent of police states that Kennard, on the day he came out of gaol, informed him that he had been treated by everyone in the prison with a great deal of kindness. No Circular has been issued by the Local Government Board. The views of the Board on the subject are set forth in a letter which has been published as a Parliamentary Paper, and are generally well known. It has been the practice of the Board to send a copy of that Parliamentary Paper to the Board of Guardians whenever it appeared to be desirable to do.

THE TRUCK ACT—MEDICAL ATTENDANCE IN MINING DISTRICTS.

MR. BURT asked the Secretary of State for the Home Department, If his attention has been called to an article in *The North Eastern Daily Gazette* of the 7th instant, in which it is stated that certain firms of ironstone mine owners in the Cleveland district have for several years past made deductions from the wages of the miners in their employment for medicine and medical attendance without the sanction of the workmen, the medical men being selected by the employers, and being in some cases very objectionable to the miners; whether, if the statements made in this article be correct, the mine owners are not committing a breach of the Truck Act, and rendering themselves liable to heavy penalties; and, whether he can take any steps to put a stop to the practice complained of?

Sir WILLIAM HARCOURT, in reply, said he had received a long Correspondence from the Inspector of Mines in this district, which stated the communications which that official had had with the miners on the subject. It would not be possible, within the limits of a reply to a Question, to state all the points, and the hon. Member would probably like to look at the Correspondence. In that case it was very likely that an arrangement of the points in dispute might be arrived at which would be satisfactory to all parties concerned.

MADAGASCAR—ENGLAND AND FRANCE—IDENTITY OF POLICY.

Mr. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether, in accordance with the declaration of Her Majesty's Government recognizing "the Queen of Madagascar as absolute Monarch of the whole Island," and with the understanding between Great Britain and France "that the two Governments should maintain an identic attitude of policy in Madagascar, and act in concert in the matter," Her Majesty's Government has made representations to the French Government concerning the action and the claims of France in Madagascar?

Lord EDMOND FITZMAURICE: No, Sir; no communication has been made to the Government of France since my reply to the hon. Member on Thursday last.

Mr. ARTHUR ARNOLD: I shall repeat the Question on this day week.

MOROCCO—SLAVERY AND SLAVE DEALING AT TANGIER.

Mr. A. PEASE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any further information respecting the slave trade now being carried on on Morocco; and, whether their information confirms the report of the sale and mutilation of slaves which appeared in *The Evening Standard* of 19th June.

Lord EDMOND FITZMAURICE: Further Reports giving much information as to the Slave Trade in Morocco have been received, and will be shortly laid before Parliament. Speaking generally, they show that a very unsatisfactory state of affairs exist in Morocco. The subject continues to occupy the attention of the Foreign Office.

EGYPT—MAJOR BARING, HER MAJESTY'S CONSUL GENERAL.

Lord RANDOLPH CHURCHILL (for Sir H. Drummond Wolff) asked the Under Secretary of State for Foreign Affairs, Whether application has been or will be made by Her Majesty's Government to the Sultan for an *exequatur* to enable Major Baring to enter on his duties as Her Majesty's Consul General in Egypt; and, whether any understanding had been arrived at with Foreign Powers on the proposals contained in Lord Granville's Circular Despatch of January 3rd, 1883, with respect to the Suez Canal?

Lord EDMOND FITZMAURICE: Yes, Sir; the usual course of applying for the *bérat* or *exequatur* will be followed. In answer to the next Question, I have to say that certain observations, of an entirely friendly character, have been received from different Foreign Powers on the proposals in question; but no final understanding in regard to them has yet been arrived at.

EGYPT—LAW AND JUSTICE—TRIAL OF SULEIMAN SAMI.

Lord RANDOLPH CHURCHILL asked the Under Secretary of State for Foreign Affairs, Whether his attention has been drawn to an extract in *The Morning Post* of Friday, 15th June, from *The Egyptian Gazette*, giving an account of the trial of Suleiman Sami; and, if so, whether he can ascertain whether it is the case, as stated in that account, that Suleiman Sami pleaded "not guilty;" that his advocate, Jacobbi, requested permission to open the proceedings by lodging certain evidence taken in another case which bore specially upon the one before the Court; whether the Court refused such permission, and at once called upon the Public Prosecutor; whether the Public Prosecutor in his speech used the following expression:—

> "By its sentence the Court would afford some consolation to those who had suffered from the cruelties perpetrated on the fatal day of the 11th of June;"

whether, at the conclusion of the speech of the Public Prosecutor, Mr. Jacobbi objected to the course taken in having heard the Public Prosecutor before the witnesses had given their evidence; whether Mr. Jacobbi applied that the depositions and other documents taken in the trial of Arabi should be brought before the Court, as they bore special reference to the trial of Suleiman Sami; whether the Court refused the application, and thereupon the advocate, Jacobbi, threw up his brief, after a long and elaborate protest, which he handed to the Court; whether that protest can be obtained and laid upon the Table of the House; what part, if any, Major Macdonald took in the discussions; and, whether he has made any report of the proceedings to Sir Edward Malet, and whether such Report can be laid upon the Table; and, in the event of no such Report having been made, whether Her Majesty's Government will call for one, and lay it upon the Table? The noble Lord added that he had the following Question on the Paper addressed to the Prime Minister, which he would put to the Under Secretary—namely, Why the despatch of Lord Dufferin, and the telegrams to Sir Edward Malet, together with some germane Papers, referred to by him on June 11th, with reference to the trial of Suleiman Sami, and which he promised to lay upon the Table as soon as possible, have not yet been produced, seeing that more than a fortnight has elapsed since these Papers were referred to and promised, and when they will be in the hands of Members?

LORD EDMOND FITZMAURICE: In reply to the noble Lord's Question, addressed to me, as well as to that addressed to the Prime Minister, I may state that I have to-day laid on the Table of the House Papers which contain full information on the points referred to by the noble Lord. The reason why they have not been laid before is, that Reports from Egypt were expected of which the last only reached the Foreign Office on Tuesday last.

LORD RANDOLPH CHURCHILL: The noble Lord does not say whether the protest of the advocate of Suleiman Sami has been received by Her Majesty's Government, and whether it will be laid on the Table of the House. I will be greatly obliged to the noble Lord, and I will put my Question to-morrow if he will answer it *seriatim*.

LORD EDMOND FITZMAURICE: The Report of Major Macdonald gives full information on all these points. I think I may fairly appeal to the noble Lord to examine these Papers before he asks further Questions.

EGYPT (MILITARY EXPEDITION)—COMMISSARIAT SUPPLIES (HAY).

DR. CAMERON asked the Surveyor General of Ordnance, How much of the hay sent out for the use of the Egyptian Expedition was, on being landed, found caked and mildewed; and, whether the Commissary General at Head Quarters was consulted as to its purchase, or the mode in which it should be packed; and, if not, who purchased it and who was responsible for the method in which it was packed?

MR. BRAND: A portion of the supplies first sent to Egypt arrived in a caked or mildewed condition, and had to be used for bedding purposes. It is impossible to say what was the amount of hay so damaged. This was part of the supply which, in consequence of the rapid departure of the Expedition, had to be pressed in perpetual pressing machines without respect to the weather, and frequently throughout the night. Of the supplies subsequently despatched, which were pressed under the ordinary precautions, I have no reason to believe that any portion was found unfit for use, and the general officer and veterinary surgeon reported favourably on the other consignments of hay. In reply to the second Question, I have to say that the Commissary General at head-quarters was not consulted as to the purchase of the hay, or as to the mode in which it should be pressed. It was purchased in the usual manner, under contracts, in various parts of England and Ireland, and it was pressed under the inspection of the local Commissariat officers.

COMMITTEE OF COUNCIL ON AGRICULTURE—THE PROPOSED STAFF.

MR. R. H. PAGET asked the Chancellor of the Duchy of Lancaster, If he will be good enough to state the arrangements which have been made, or are proposed to be made, with regard to the numbers, emoluments, and duties of the Staff of the "Committee of Council for the consideration of all matters relating to Agriculture," over which he presides; and, if he will inform the House in which of the public offices information is now to be sought on statistical, veterinary, or other matters connected with agriculture?

MR. DODSON: As soon as the Order in Council had been passed, appointing the Committee on Agriculture—which was not until the end of April—we communicated with the Departments which have hitherto been charged with the preparation of the Agricultural Statistics, with a view of ascertaining the probable requirements of the Office and the work which will devolve upon it. Arrangements are under consideration; and as soon as it is ascertained what the full extent of the duties are, we shall be in a position to say what additions will be made to the Staff. Till then I cannot mention the number or the duties or the emoluments. When these are settled an Estimate will be submitted. Meanwhile, any application for information on such matters as those mentioned should be made to the Agricultural Committee of the Privy Council. I will only add, in explanation, that the Lord President of the Council is *ex officio* President of the Committee, and I preside in his absence.

MR. R. H. PAGET: Will the right hon. Gentleman state how soon he will be able to lay on the Table Estimates for the Services?

MR. DODSON: I am unable to state at present when an Estimate will be presented. There will be no unnecessary loss of time; but the transfer of so complicated a matter as the Agricultural Statistics to a new Department involves a great deal of care and consideration.

LAND LAW (IRELAND) ACT, 1881—THE LAND COMMISSION—FAIR RENTS.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the trouble and loss of time caused to persons applying to have fair rents fixed under the Land Act; whether cases have been brought under his notice in which tenants, after going a long day's journey at considerable expense, found that no Court was held; and, whether the Government will require the Commissioners to give more consideration to the convenience of suitors, especially in the matter of holding their Courts in the towns nearest to the land to be adjudicated on?

MR. TREVELYAN: I have communicated with the Land Commissioners with regard to this Question, and have received from them a Report, in which they state that, when arranging the Circuit lists, they have done, and will continue to do, everything in their power for the convenience of suitors. It is impossible for them to select more than two or three principal places for the advertised sittings of a Sub-Commission in counties where there are but few cases. To adopt any other course would most seriously retard the progress of business. Sub-Commissioners, however, have power to adjourn to other places than those advertised, and they are always ready to receive applications, from parties interested, to sit at other places than those specified in the Circuit list.

LAW AND JUSTICE (IRELAND)—DISQUALIFICATION OF JURORS.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the official rules for the guidance of Crown Solicitors in directing jurors at trials in Ireland to stand by contain a direction in the following terms:—

> "And shall also, in the exercise of a due discretion, direct to stand by all such persons as he shall have reason to believe are likely to be hindered from giving an impartial verdict, by favour towards the accused, fear of the consequences to their persons, property, or trade, or other improper motive, although same may not announce to a legal ground of challenge, or may not admit of legal proof;"

and, if this rule be still in force, by what statute Crown Solicitors are empowered to impose this disqualification upon jurors?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, he had been asked to answer the Question. The Official Rules for the guidance of Crown Solicitors did contain, amongst other provisions, the Rule referred to in the Question. The right to call on jurors to stand by was not created by any particular Statute, but it had been distinctly recognized by several Statutes, notably the Jurors (Ireland) Act, 1871. The regulation in question appeared to him to be a most proper guide for Crown Solicitors in the discharge of their duties.

SCOTLAND—THE ROYAL COMMISSION ON CROFTERS.

MR. DALRYMPLE asked the Secretary of State for the Home Department, Whether his attention has been called to statements made publicly by Mr. Fraser Mackintosh, M.P. a Member of the Royal Commission on Crofters, in reference to the evidence taken before the Commission, and especially to the following remarks:—

> "Whatever Report the Commissioners may adopt, the mind of the Country, as to the condition, the usage, and the requirements of these people, will be made up, not from the Report, but from the detailed evidence itself, and therefore the appearance of this evidence will be matter of the utmost importance;"

and, whether it is in accordance with recognised usage to allude publicly to the proceedings of a Royal Commission before the Commissioners have completed the evidence, much less reported?

SIR WILLIAM HARCOURT: When Gentlemen are appointed on a Royal Commission by the Crown, it is no part of my duty to criticize their conduct, or what they say to anybody, especially to their constituents, and therefore I can give no official opinion on the subject. If the hon. Member wishes for my private opinion, which is of very little value, I should say that the passage referred to in the Question is a singularly harmless passage. If there is any harm in it, it is in the excess of modesty on the part of the Commissioner attaching greater force to the evidence than to the Report.

STREET TRAFFIC (METROPOLIS)—WOOD PAVEMENTS.

VISCOUNT NEWPORT asked the Chairman of the Metropolitan Board of Works, If it is not the fact that since the recent extension of wood pavement in the Metropolis serious affections of the eyes and of the lungs have been largely on the increase; and, whether it would not be possible to mitigate in some degree this growing evil by a more careful and thorough system of cleaning and washing the streets?

SIR JAMES M'GAREL-HOGG: I beg to inform my noble Friend that the streets of the Metropolis are not under the control of the Board over which I have the honour to preside, and I have no information of the evils he refers to. I cannot speak with any weight with regard to remedial measures, or their necessity; but perhaps my noble Friend's Question will be the means of directing the attention of the local authorities to the subject. I may add that cleansing and sweeping by boys employed for the purpose appear to be efficient in the City of London and in some districts, and the same means are adopted by the Metropolitan Board of Works with regard to the Thames Embankment, although it is not paved with wood.

THE ROYAL UNIVERSITY OF IRELAND—THE QUEEN'S COLLEGES.

MR. JUSTIN M'CARTHY (for Mr. T. P. O'CONNOR) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, as the establishment of the Royal University does away with the necessity of attendance at lectures in the Queen's Colleges, the class fees of several of the professors in the Galway College have fallen to one-fifth of their former amount; whether this reduction amounts to thirty per cent. on the income for the office when these professors originally accepted their appointments; and, whether there is no way by which this interference with the vested interests of an underpaid body of public servants can be remedied?

MR. TREVELYAN: I am informed that the diminution of class fees has been considerable — in some cases as large as stated by the hon. Member. It is probably too soon to judge of what the ultimate effect of the establishment of the Royal University may be; but, in any case, the matter is not one in which I am in a position at present to admit any claim on the part of these gentlemen, or to make any pledge.

SOUTH AFRICA—THE TRANSVAAL—THE CHIEF MAPOCH.

MR. GORST asked the Under Secretary of State for the Colonies, Whether any information has been furnished by the Resident in the Transvaal to Her Majesty's Government as to the terms on which the Transvaal Government will allow Mapoch to surrender; and, whether there is ground to believe that Mapoch will receive worse terms in consideration of the services rendered by him to the British in the late war?

Mr. EVELYN ASHLEY, in reply, said, the Resident in the Transvaal had not furnished the Government with any information as to the terms on which the Transvaal Government would allow Mapoch to surrender. There was no ground to believe that he would receive worse terms in consideration of the services rendered by him to the British in the late war. As a matter of fact, he did not render any services.

COMMONS AND OPEN SPACES—CHATHAM.

Mr. GORST asked the Financial Secretary to the War Office, Whether it is true that a piece of open ground on the Military Road, in the middle of the town of Chatham, has been offered by the Military authorities to public tender for the grazing of cattle and sheep; and, whether, in consideration of the nuisance which such a use of the ground will occasion to the inhabitants, Her Majesty's Government will direct this piece of land to be devoted to some other purpose?

Mr. BRAND: Public tenders have been called for; but I have given instructions that they shall be submitted to the War Office, and not be dealt with locally. The question of the appropriation of the land to other purposes will be considered.

IRELAND—NATIONAL SCHOOL TEACHERS—MR. BONNAR.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the case of the late Mr. John Bonnar, who died on the 22nd of March of this year, aged 64 years, after having taught in the Rooskey National Schools, county Donegal, and Strabane district for forty-two years, having been appointed in 1841, and being in the first class; whether Mr. Bonnar was within a few months of being able to retire on full pension for first class; and, had he not died suddenly, would have applied for the retiring allowance of about £300; whether he is aware that his widow and two young sons are left altogether unprovided for; and, whether the fact of his having served forty-two years, being in the first class, and entitled to the foregoing amount of retiring allowance, together with the fact of his widow and his two little children being without means, would entitle him to recommend the Commissioners to grant some assistance to Mr. Bonnar's family?

Mr. TREVELYAN: I have made inquiry into this case, and find that Mr. Bonnar died in March last, having completed his 63rd year. Had he lived, and voluntarily retired from the Service at that age, he would have been entitled to a pension of £49 per annum; but the hon. Member is mistaken in supposing that he could have claimed a bulk sum, either of £300 or any lesser amount, as the Act gives no power to grant a gratuity to a teacher over 54 years of age, or to commute a pension. Nor does the Act give any power to make grants to the families of deceased teachers, and nothing except an alteration of the Act will enable me to recommend the Commissioners to deal with this case.

IRELAND—PAUPER EMIGRANTS TO THE UNITED STATES.

Viscount LYMINGTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the decision of the Emigration Commission of the United States Government to detain all past inmates of Irish Workhouses who were proved to have been assisted by funds furnished by Great Britain, and to stop the landing of all steerage passengers until after an investigation of the circumstances of their departure from their homes; and, whether this is likely, and to what extent, to prejudice the success of any Government scheme for Emigration?

Mr. JOSEPH COWEN asked, If the right hon. Gentleman could state to the House what truth there was in the statement made in America that Irish paupers were being sent to that country by the Government, or with its approval and aid?

Mr. TREVELYAN: I will answer both Questions together. I am obliged to my hon. Friends for having given me an opportunity of referring to the subject. Sir, there has been a great exaggeration in the matter referred to in these Questions. I will give a single specimen. In a London evening paper of Tuesday it is stated that "the ship *Anchoria* put into New York with a selection of paupers on board." I am informed that the *Anchoria* did not carry a single person who had been a workhouse inmate, and that the whole party consisted of 53 persons. Considering the nature of the question, or controversy, or whatever you may call it, I think that gentlemen in and out of the Press should receive with very great caution the telegrams that come from America. With regard to the ship *Furnessia*, as long ago as the 17th of June I received the following Report from the member of our Emigration Committee, who was in charge of the embarkation:—

> "The published reports of our emigrants having been landed in America without money are without foundation. I, myself, saw all the tickets, and the head of each family held an ocean ticket, rail ticket, and cheques on Messrs. Henderson Brothers for the full amount of their landing allowance, which is £1 for each adult, and 10*s*. for each child. There was a large number of emigrants on board who did not belong to us; perhaps these were the ones referred to."

Since the telegrams came from America an inquiry has been made, and it has been ascertained that the *Furnessia* which took out 421 emigrants, contained among them five families, who had been workhouse inmates. The following particulars have been obtained respecting these five families:—The first family consisted of a woman and two children, who had £1 10*s*. given as landing allowance, and the woman had produced a letter from a cousin in New York, offering employment in her own house. The second family consisted of a woman and one child, who had a landing allowance of £1, and who had produced a letter from her sister in Williamantie, promising her a home. The third family consisted of a woman and two children, who had a landing allowance of £3 10*s*., and who produced a letter from her son in New York, promising her a home, and to meet her on arrival. The fourth family consisted of five children, from 16 years of age downwards, who were sent out to their mother, who was in Williamantie, was anxious to receive them, and waited their arrival. Landing allowance of £3 was given to them, and they were sent out in charge of a man in whom the Guardians placed confidence. The fifth family consisted of a woman and three children. She had a landing allowance of £3, and had produced a letter from her daughter, promising her a home, and offering to procure her employment. Before embarkation outfits were procured for these persons, at a cost of £50 2*s*. I have been asked to say, with respect to the emigrants, that these were of the class formerly embarked by the Boards of Guardians; and with respect to the emigrants selected by the manager of Mr. Tuke's Fund, I have received a letter stating that these emigrants had not been paupers or persons from the workhouse. All those sent to the United States, except about 300, have arrived, and on arrival have been placed by friends, or by the agents of the Fund. None of Mr. Tuke's emigrants landed at New York, where the complaints came from, and no complaints have been received regarding Mr. Tuke's emigrants. I think it extremely important in a matter of this sort, which may be a matter of controversy between England and America, that I should only state the facts which I have absolutely ascertained.

MR. J. LOWTHER: In connection with the same, might I ask the right hon. Gentleman, Whether, having regard to the difficulties which appear to beset the question so far as the United States is concerned, the Government intend any longer to hesitate to avail themselves of the very liberal offer made by the Dominion Government of Canada about three years ago; and, if not, whether it is the intention of the Government to make any application to Parliament during the present Session to enable them to do so?

MR. JOSEPH COWEN: I should like to ask whether the American Government has stopped any of the emigrants, and threatened to send them back?

MR. PULESTON: Would the Government say whether any official communication has been received, by telegraph or otherwise, from the American Government; and, if so, whether they have sent in reply information such as has just been read to the House?

MR. W. E. FORSTER: I should like to ask, before any reply is given to the right hon. Gentleman opposite (Mr. J. Lowther), is it correct that there is now any offer from the Dominion Government of Canada?

MR. O'BRIEN: I would ask the right hon. Gentleman whether the House is to understand that in the case of persons emigrated by Boards of Guardians the only money they have to face the world with on landing is the landing allowance of £1 to an adult and 10*s.* to a child?

Mr. CALLAN: Before the right hon. Gentleman answers, will he state whether he has any information as to the Emigration Commissioners of the United States Government having come to any decision to stop the landing of steerage passengers?

Mr. TREVELYAN: Questions relating to the American Government should not be addressed to me, but to the Foreign Office. My business is to ascertain that the administrative details of Irish emigration have been properly carried out. With regard to the Question of the right hon. Gentleman opposite (Mr. J. Lowther), I am not quite sure whether I am empowered to answer it further than this—that in my day, and I think, also, in my Predecessor's, I know of no definite offer which has come from the Canadian Government. With regard to landing allowances, I think the hon. Member (Mr. O'Brien) will see by the sums I have read out that the landing allowance is proportioned to the distance the people have to travel. Somewhat similar sums to those I have named are given to persons who have friends in New York.

Mr. J. LOWTHER: In consequence of the answer of the right hon. Gentleman, I shall, on an early day, call attention to the Memorandum issued by the Privy Council of Canada, bearing date the 3rd of October, 1880, and to the action of Her Majesty's Government with regard to it.

Mr. JOSEPH COWEN: Might I ask the Under Secretary of State for Foreign Affairs, Whether any intimation has been received at his Department as to whether the Americans refused to receive assisted or pauper emigrants?

Lord EDMOND FITZMAURICE: I think a Question of this kind, relating to the action of a Foreign Government, deserves Notice?

PREVENTION OF CRIME (IRELAND) ACT, 1882—SPECIAL COMMISSIONS.

Colonel KING-HARMAN asked Mr. Attorney General for Ireland, Whether the Government intend to hold any sittings of the Special Commission under the Prevention of Crime Act in any place other than Dublin, with the view of relieving the jurors of the city and county of Dublin, who have so manfully discharged their duties, of the serious loss and inconvenience which repeated summonses to serve on special juries under the Act are imposing upon them?

The ATTORNEY GENERAL for IRELAND (Mr. Porter), in reply, said, that no Special Commission had yet been held under the Prevention of Crime Act, either in Dublin or elsewhere; and it was not intended at present, unless unforeseen circumstances should arise, to hold any such Court. Recognizing the great services rendered by the Dublin jurors, it was not intended to cast any duties upon them at the next Commission except those peculiarly their own; and, accordingly, it was not his intention to have any but Dublin cases tried at the next Commission.

IRELAND—REPORTED DISTRESS AT GWEEDORE.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the Letter of Mrs. Alice M. Hart in the "Daily Chronicle" of 8th June, stating that hundreds of the tenantry of Captain Hill, near Gweedore, against whom ejectments for non-payment of rent are pending, are being kept from starvation by doles of a pennyworth of meal a day; and, whether he has any information as to the extent of distress in that district, and of the means of meeting it?

Mr. TREVELYAN: Sir, I have seen the letter to which the hon. Member refers; but I must remind him that the Government do not depend for their information upon letters from private correspondents. The district of which Gweedore forms a part is one with regard to which they have taken special care to keep themselves informed. According to our information, legal proceedings have been taken by Captain Hill against only 24 out of about 600 tenants, and of these 24, 10 have since settled. These tenants have not been principally dependent on charity for their support, and no proceedings have been taken against any who were considered to be in distress.

MR. O'BRIEN asked whether, having regard to the conflicting information as to the real state of the district, the Government would not have an independent inquiry made?

MR. TREVELYAN said, he had received a considerable number of letters on the subject. Mr. Macfarlane was the ordinary and permanent Inspector of the district; and, in addition, they had a special local agent, who was Inspector of the County Donegal, so that they were very well able to check the various accounts.

EXCISE—ARREST OF MR. BOURGUIGNON.

MR. ECROYD asked Mr. Chancellor of the Exchequer, If it is true that at 9 a.m. on Tuesday, 19th June, Mr. Henri Bourguignon, agent of Mr. Albert Keyl, a well known and highly respectable wine merchant of Bordeaux, was arrested at his rooms, No. 28, Langham Street, Portland Place, and in custody of two officers taken to Bow Street, where he was charged with dealing in Foreign wines without a licence, and locked up in a common cell; that at 12 o'clock he was brought up in the Police Court, where an official from Somerset House stated, in support of the charge, that no licence had been granted in any part of the Kingdom to Mr. Albert Keyl during the past two years; that, upon Mr. Bourguignon asking for time to obtain the licence from Mr. Keyl's shipping agent in Liverpool, in whose keeping it was, the Magistrate adjourned the case for a week, and agreed to liberate Mr. Bourguignon on his obtaining two sureties in £100 each, which he succeeded in doing after remaining in custody until 2.30 p.m.; whether it is the fact that a licence to deal in wines and spirits was duly granted at Liverpool on the 6th July 1882 to Mr. Albert Keyl, and is still in force; whether a licence has not been regularly taken out by Mr. Keyl every year since 1860; and, whether such licence taken out by a principal does not cover the action of his traveller moving from town to town in this Country to transact business?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): I have carefully looked into this case, and I find that although, undoubtedly, a mistake was made in the statement that Mr. Keyl, of Bordeaux, did not hold a licence, the licence which he actually held was not a foreign one, but merely described him as of York Buildings at Liverpool; and in searching the list of licensees, which contains several thousand names, his was overlooked. The case was heard by the magistrate at Bow Street; and Mr. Vaughan stated that the action of the Inland Revenue Department, in instituting proceedings against M. Bourguignon, had been fully justified. I can only express my own regret, and that of the Board, that Mr. Keyl's representative should have been the subject of these proceedings.

MR. ECROYD said, in consequence of the unsatisfactory character of the answer he had received he would bring the subject before the House on the consideration of the Estimates.

HARBOUR OF REFUGE (DOVER).

MR. W. H. SMITH asked the Secretary to the Treasury, When the further papers relating to the proposed Harbour of Refuge at Dover will be laid upon the Table; and if he will undertake that the Vote providing for the erection of a Convict Prison at Dover shall not be proceeded with until after the House has had an opportunity of considering the information to be given?

MR. COURTNEY: The question of the exact character of the harbour which it is proposed to make at Dover is not yet sufficiently advanced for Papers to be presented respecting it; but the Convict Vote will not be taken until the House is in the possession of further information on the subject.

EGYPT—REPORTED CHOLERA AT DAMIETTA.

MR. CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, Whether there is any official information as to the character of the epidemic which is reported to have broken out at Damietta, and of the number of deaths that have already occured; and also to the appearance of the epidemic in other localities besides Damietta?

LORD EDMOND FITZMAURICE: I regret to say that the reported outbreak of cholera at Damietta has been confirmed by intelligence received from Her Majesty's Consul at Alexandria, and up to yesterday about 180 deaths would appear to have taken place. Cases have also been reported at Mansourah and Port Said.

Mr. J. LOWTHER: Are there any cases reported among British troops?

Lord EDMOND FITZMAURICE: No.

EDUCATION DEPARTMENT—BOARD SCHOOL ACCOMMODATION FOR INFANTS.

Mr. HASTINGS asked the Vice President of the Committee of Council on Education, Whether a School Board is legally bound to provide school accommodation for the children between three and five years of age?

Mr. MUNDELLA: The Act of 1870 requires that provision should be made for all children resident in the school district; and inasmuch as there are about 400,000 children under five years of age attending schools in England and Wales, and that for the last 30 years Parliament has made annual grants for such children, every parish in England has been required to provide suitable accommodation for them, and nothing can be more important to our educational system than efficient training in infant schools.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

Mr. HENEAGE asked the First Lord of the Treasury, Whether the time has not now arrived when he will consider the advisibility of asking the House to give the Government Tuesdays, Wednesdays, and Fridays, in order that progress may be made with Government measures, without unduly limiting the necessary discussions on the Estimates, or unnecessarily prolonging the Session without any public advantage?

Mr. J. G. HUBBARD asked whether the Prime Minister would remember that on Wednesday next he had a Motion on the Paper touching the administration of the Income Tax, a subject which years since ought to have obtained the consideration of the House?

Mr. T. FRY wished to remind the right hon. Gentleman that on Tuesday next the Committee stage was down on the Paper on a Bill which had been read a second time by a large majority. He referred to the Bill for closing public-houses on Sunday in the county of Durham. [*Ironical cheer from* Mr. Warton, *and cries of* "Oh, oh!"] Although to some hon. Gentlemen that measure might appear rather a small one, it was one which largely affected not only the county, but one in which other parts of the country were much interested.

Mr. GLADSTONE: With regard to the observations just made, it is convenient I should refer to the matter, and I would do it in this way—that, undoubtedly, the Bill of which the hon. Member speaks is one which has very great interest, indeed, with respect to a particular portion of the community, as well as to the inhabitants of a particular county; but the position of an opposed Order of the Day on a Tuesday night is not a favourable position, and not worth much; because it often happens that if a House is made on a Tuesday night for the discussion of Motions, these Motions are invariably continued beyond half-past 12 o'clock, and an opposed Order cannot be taken. That is only by-the-bye, because I should be sorry that my hon. Friend should think we differ from him on this subject, and I sincerely hope that he will be able to find an opportunity, either on that or some other night, for bringing it under the consideration of the House. In answer to the Question of my hon. Friend (Mr. Heneage), I have to say that we have only considered this matter to a limited extent; but we have arrived at the conclusion that it would be agreeable to the general desire of the House that we should ask to have the 9 o'clock as well as the 2 o'clock Sitting for Government measures on Tuesdays. That is not an immoderate demand, as I hope, and I ought to say, in making that request to the House, that we propose not to interfere with a Motion which stands for Tuesday week in the name of the hon. Member for Mid Lincolnshire (Mr. Chaplin), on the subject of the importation of foreign cattle suffering from infectious diseases, and which, undoubtedly, would command the attention of the House for discussion. With regard to the remainder of the Question of my right hon. Friend, I do not wish wholly to pass it by, because I think the position of the House is rather peculiar at the present moment. My hon. Friend points to the objects he has in view—first of all, that the discussions on the Estimates may not be unlimited; and, secondly, that the Session may not be unnecessarily prolonged without public advantage. What we wish to do is this. We wish to accept very thankfully all the time, to the full extent that my hon. Friend has pointed out, that the House is disposed to give us, provided it be done with the general assent and goodwill of the Members; but we do not think that the Government would act wisely in endeavouring to overbear, by the mere force of an ordinary majority, the opinions of the great body of the House. But, having said that, I think I might point out to the House what is the actual position. The House is now aware of all the important measures in the hands of the Government on which the Government desire to take its decision during the present Session. I think I may say, and without fear of contradiction, these two things. First of all, that these are measures of very considerable public interest and importance; and, secondly, that as it happens, to the great satisfaction of many—perhaps to the less satisfaction of some—they are matters in which Party interests and Party sectional feelings are very little, if at all, involved. Moreover, under these circumstances, these measures which are in the hands of the Government, and form the staple employment for them to propose to the House, I feel stand somewhat in a different position than that which they would be placed in if they were only the measures of this side of the House as contrasted with that side of the House. Under these circumstances, I think it is certainly matter for the House to consider whether they would be disposed, with a view to the effectual handling of these measures, and with a view to the general convenience of the House and the proper discussion of the Estimates, to give us the remaining time, or a portion of the remaining time, at an earlier period than has commonly been the case. But I am persuaded that I shall act more wisely, having said this much, by leaving the matter for some days in the hands of the House, and endeavouring thoroughly to collect what is the general feeling, than by endeavouring to exercise pressure. Of course, I should say whenever we find any case analogous to the case of the hon. Gentleman the Member for Mid Lincolnshire, we should be prepared to act upon similiar principles, and take care that a discussion of that kind, generally interesting to the House, should not be interfered with.

Sir STAFFORD NORTHCOTE: Of course, it is early in the Session, according to the ordinary practice, for the Government to begin to take the Tuesdays. At the same time, after proper consideration, the House might be willing to make that concession, if it were assured as to the Business which the Government intends to proceed with, and that it is not in contemplation to favour us with an unduly prolonged Session. I understand from the Prime Minister that he does not at present intend to make the proposition, but that in a few days he will make a proposal in regard to this matter. Therefore, I shall content myself with giving Notice that when it is made we shall expect to have something definite as to the measures to be taken up, and the order in which they are to be taken up. We shall be very anxious to know what are the intentions of the Government in regard to several of them, especially the Agricultural Holdings (England) Bill.

Mr. GLADSTONE: I have no proposal to make now; but I have given Notice that it is our intention on Monday to ask that we may be allowed Tuesday nights for Government Business. We have pretty well signified to the House the subject of the Bills which we intend to introduce; but, at the same time, we shall be happy to give any further information on the subject.

Sir JOSEPH PEASE asked whether the Government would not consider the question of a Saturday Sitting for the Sale of Intoxicating Liquors on Sunday (Durham) Bill?

Mr. BROADHURST inquired if the Prime Minister was aware that next Tuesday he had first place for a Motion regarding the better housing of the multitude of the people? That was, at least, as important as the Motion of the hon. Member for Mid Lincolnshire (Mr. Chaplin) on the following Tuesday. He would like, if the House would permit him, to read a short note on this subject —[“Order!”]—he would not do so without the permission of the House; but the question affected a vast number of people on whom the House and the country depended for its prosperity.

Mr. SPEAKER: The hon. Member is not asking a Question.

Mr. BROADHURST said, his Question was, Whether the Government would give some other opportunity before the end of the Session for bringing on his Motion, or give any promise that they would deal with this important subject themselves?

Lord RANDOLPH CHURCHILL asked the Premier at the same time whether, if the Government took both Morning and Evening Sittings on Tuesdays and Fridays, he would recommend that the natural hour of meeting, 4 o'clock, should be resumed?

Mr. A. J. BALFOUR said, he could quite understand the reasons which induced the Prime Minister to announce that he would take Tuesdays and Fridays at rather an earlier date this Session; but he would ask him whether it was not within his power to find some method of marking the proceeding as exceptional, depending upon the exceptional nature of the Government Business before the House, so that it might not be drawn into a precedent in future Sessions?

Mr. GLADSTONE: I think, with regard to the exceptional nature of the reasons which my hon. Friend is perfectly entitled to notice, the very character of the conversation to-day will probably be sufficient to record and make plain the considerations which will guide the House if it should act in the direction which I have indicated. I quite agree with the noble Lord that perhaps after next week, and after the disposal of the Motion to which reference has been made, it may be right that we should return for the general convenience of the House to the ordinary hour of meeting. With regard to what has been stated by my hon. Friend behind me (Mr. Broadhurst), I would point out that I do not in the slightest degree question the importance of the subject which he proposes to open; but my hon. Friend will feel, I think, that a Motion of that kind proposed on the 3rd of July cannot be intended to be the basis of legislation of a positive kind during the present Session; and if that is so, it is quite evident that it places his Motion on a different footing from the Motion of the hon. Member for Mid Lincolnshire, who, although aiming, I rather think, at legislation, yet legislation of a kind that might probably, if it were adopted, be comprised within a couple of lines or within a very limited space indeed. Under these circumstances, I certainly hope that before the close of the Session my hon. Friend may have an opportunity of explaining his views upon the subject with all that intelligence and all that information which we know he possesses in regard to matters upon which he addresses the House.

Mr. STANLEY LEIGHTON asked whether he was to understand that the Intermediate Education (Wales) Bill had been definitely abandoned from the statement of the Premier that the Government did not propose to bring forward any Bills other than those of which the House were already in possession?

Mr. GLADSTONE: No, Sir. My declaration was made with a reservation. I spoke only of the principal measures of the Session. With regard to measures that do not come under that description, and do not promise to occupy a large space of the time of the House, it is impossible to make any abstract declaration.

Mr. HUGH SHIELD asked the Prime Minister whether, should he ascertain before Monday that the feeling of the House was in favour of the Government taking Wednesdays as well as Tuesdays and Fridays, he proposed to enlarge his Motion so as to include Wednesdays? Having, himself, charge of a Bill on the Paper for next Wednesday, he had a personal interest in the question.

Mr. GLADSTONE: With respect to the Question of the hon. Member, I think we had better reserve to ourselves a perfectly impartial consideration, whatever the information we may receive with regard to the feeling of the House, and act upon it, though subject always to the condition that the House shall not be taken by surprise.

Sir GEORGE CAMPBELL asked whether the Government proposed to find any more work for the Grand Committee on Law—[Mr. Warton: No, no!]—and in particular, seeing that the Scottish Members were so assiduous, whether the Government would not consider the possibility of referring certain Scotch Bills to that Committee, adding 15 additional Members—[Mr. Warton: Oh, oh!]—and, if necessary, enlarging the functions of the Committee for that purpose?

Mr. GLADSTONE: That is a subject on which I do not think we should take such a step as that indicated by my hon. Friend without ascertaining that it was agreeable to the general wish of the House. But I could not answer a Question of that kind without Notice.

Captain PRICE asked the Speaker, with regard to the Navy Estimates, Whether it was in Order for the Government to take Votes 15 and 16 that night, taking into consideration the fact that when the Committee last reported Progress they were in the middle of Vote 2?

Mr. SPEAKER, in reply, said, it was quite competent for the Government to do so, and that it was not altogether a question of Order, but a question of the convenience of the House.

PARLIAMENT—PUBLIC BUSINESS—SCOTCH BUSINESS.

Dr. CAMERON asked what was to be done with regard to the Bill relating to Scotch government? It had been promised for to-night; but he did not see any Notice of Motion on the Paper.

Sir WILLIAM HARCOURT said, he was afraid he was himself in default in this matter. He was himself surprised that the Notice was not down on the Paper for that night. The Bill was ready and the speech was ready, and the only thing wanting was the Notice. He was in Committee upstairs at 4 o'clock the day before, when the Sitting of the House came to a premature close, and it was his fault the Notice was not put down. He would bring it forward to-morrow night, if possible, and, if not, then on Monday.

Sir HERBERT MAXWELL asked when the Bill would be in the hands of Members?

Sir WILLIAM HARCOURT: After it is introduced.

FISHERIES (IRELAND).

Colonel KING-HARMAN gave Notice that on Tuesday next he would ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether it was true, as stated in a daily paper, that English fishing vessels had been sent to the West Coast of Ireland to examine into the fishing banks with a view to securing the best stations; and, whether the same vessels could not be much more easily obtained at Dublin?

Mr. TREVELYAN said, it would save trouble if he answered the Question at once. Hon. Members had complained to him that they had received in consequence of this report a good many applications from constituents and others who were owners of fishing smacks to have them employed on this service. He wished to say that there was no truth whatever in the report.

PARLIAMENT — BUSINESS OF THE HOUSE—BALLOT ACT CONTINUANCE AND AMENDMENT BILL.

Mr. NEWDEGATE asked the First Lord of the Treasury, whether he intended to invite the House to take any further part in this Bill?

Mr. GLADSTONE: We do not propose to proceed with this Bill until the Committee on the Parliamentary Elections (Corrupt and Illegal) Practices Bill has finished its labours.

EDUCATION DEPARTMENT (SCOTLAND)—ANDERSON'S INSTITUTION, FORRES.

Dr. CAMERON asked the Vice President of the Council, If he would explain the grounds on which the Education Department has refused to give an annual grant to Anderson's Institution, Forres, Elginshire, for more than 70 pupils in average attendance, notwithstanding that that institution educates some 200 children?

Mr. MUNDELLA: When the Supply question was under consideration after the passing of the Act of 1872, Anderson's Institution was reported by the school board of the district, and by the Board of Education in Edinburgh, as sufficient for 70 children, and that its teaching staff was in accordance with that. Subsequently the school board had to supply all the deficiency of accommodation, and, with the aid of lands and building grants from the Education Board to the extent of about £5,000, they made the necessary provisions. In 1880 Anderson's Institution applied for annual grants, which were awarded to them for the number which they had originally estimated to accommodate—namely, 70 children. But the application to extend the grant for 200 was declined, inasmuch as the Education Department were unable, under the terms of the Act of 1872, to make grants for new schools or extensions for a large number than was believed was necessary. The school board now supplied the deficiency. This decision of the Department must be taken as pending the revision of Anderson's Institution Endowment by the Endowed Schools Commission.

ARMY RETIREMENT—CAPTAIN MOSSMAN.

Viscount FOLKESTONE (for Mr. Chaplin) asked the Secretary of State for War, Whether his attention has been called to the case of Captain R. C. Mossman, late of the Army Hospital Corps, who was compulsorily retired in November 1881, after twenty-seven years' service in many parts of the world, as well as in the Crimean and Chinese wars; whether, by the terms of a Royal Warrant, officers of Captain Mossman's rank are not entitled, after twenty years' service, to a retiring pension of eleven shillings a day; whether it is a fact that Captain Mossman for some months received only four shillings a day, which was withheld altogether for more than a month, and is now in receipt of five shillings a day only, although, nominally, his pension is six shillings a day; whether Captain Mossman was retired on the report of a secret Board that he was unfit for further service, which report was not communicated to him until after his retirement; and, whether, in view of Captain Mossman's long service, he will give Captain Mossman that pension to which he is believed to be entitled?

The Marquess of HARTINGTON: The case of Captain of Orderlies R. C. Mossman has been brought to my notice; and, after full consideration, I am unable to sanction any alteration in the decision arrived at by my Predecessor. Captain Mossman was examined by a Medical Board in the ordinary manner. Upon its Report, he was placed on retired pay; but circumstances arising from his own misconduct precluded the grant of the full rate; and his retired pay has been subjected to a stoppage of part of it as a consequence of deficiencies in the stores for which he was responsible.

ARMY MEDICAL ARRANGEMENTS.

Colonel STANLEY asked the Secretary of State for War, Whether he would allow such questions as might arise in connection with medical arrangements to be discussed in connection with the Votes relating to the Transport Department, and not limit the discussion to the Votes on which it might more strictly arise?

The Marquess of HARTINGTON agreed that it would be convenient that all questions arising out of the Report of the Earl of Morley's Committee on the medical arrangements in Egypt should be discussed together. It was not in his power to say what the Chairman of Committees might rule to be in or out of Order; but the Government would not interpose any obstacle to the discussion of any point whatever which arose out of that Report.

INDIA—ALLEGED ATTACK UPON BRITISH TROOPS ON THE AFGHAN FRONTIER.

Mr. O'KELLY asked the Secretary of State for War, Whether he could give the House any information with reference to the rumoured attack on British troops on the Afghan Frontier?

The Marquess of HARTINGTON: The Question ought to be put to the Under Secretary of State for India. I have no information on the subject.

ORDERS OF THE DAY.

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £419,600, Commissariat, Transport, and Ordnance Store Establishments.

Lord EUSTACE CECIL said, this was a Vote of some considerable importance; and as it involved, more or less, a Department of the Government with which he was for some time connected, and indeed presided over, he wished to make some few observations concerning it. He alluded to the Transport Department in particular; and though he had no intention at the present juncture of going into the whole question, he thought the present was an appropriate occasion for making some remarks on this particular branch of it which had reference to the organization of the body as a whole. He must, therefore, ask the

Committee to bear with him while he went back shortly upon the history of the organization and working of the Transport Department and the Ordnance Stores. The story was an old one, but it was one of some importance; and though very well known to many Members of the Committee, there were some Members to whom it was not so familiar, and it was altogether unknown to a large section of the outside public, who had a great interest in the matter. It would be in the recollection of many Members of the Committee that there was a great breakdown of the Commissariat in the Crimean War; and after that, in consequence of inquiries set on foot, mainly at the instance of Mr. Roebuck, who was then a Member of the House, a great many faults were found, and naturally found, with the way in which the Department had been administered. One of the first reforms that was made at that time was to take away from the Treasury the control of the *personnel* of the Commissariat Department, and to place it under the control of the War Office. He was not aware that any other reform of great magnitude occurred at the time to which he was referring. There was, however, an opinion prevailing that the matter ought not to stop at the point which it had reached; and at the instance either of General Peel or Sir John Pakington—he did not remember which —a Committee, known as Lord Strathnairn's Committee, was appointed. This Committee went most exhaustively into the whole question of transport, and recommended a certain number of reforms, which were based chiefly on the French model, France at that time being the chief Military Power in Europe. It was not unnatural, under the circumstances, that most of the ideas in reference to the provisioning of our own Army should be, more or less, drawn from a knowledge of the French system. The Report of the Committee to which he referred, and its recommendations, such as they were, were published in the year 1867; but no action was taken upon them until some few years afterwards. If his memory served him rightly, nothing was done in the matter until the year 1870, when the Franco-German War was taking place, and when there was a panic in this country, as he was afraid there always had been, and would be, in similar circumstances. It was thought on every side that, in the event of our having to send an Expeditionary Army to Belgium or elsewhere, the Commissariat and Transport Services would not be efficient for the purpose. The number of men in the Service was few; and though some reforms had been introduced, it was far from being in that state of perfection which everybody who took an interest in the question would have wished to see. Lord Cardwell and Sir Henry Storks then devised a system known under the name of the Control system, which was more or less a system of centralization, and was certainly not popular with the Army, among whose officers the belief existed that the Civilian Head of the Commissariat Department would have power over the military officers in command, to which they objected. There certainly was an objection to the very name of Controller, though he believed there was no intention on the part of the civilian authorities that the Controller should in any way interfere with the proper jurisdiction of General Officers in command. In fact, the name of Controller was so unpopular in the Army that when Lord Cranbrook came into Office, in 1874, one of the first subjects he found pressing—and it was pressed very strongly upon him by the military party of the day—was that the Control system should be at once reconsidered. The name of Controller was almost immediately abolished; but a great deal more was necessary to be done. It was perfectly clear that a system of decentralization, as opposed to one of centralization, was more or less necessary, and there were also questions of difficulty and grievance connected with the *personnel* of the Department. He perfectly understood the difficulty with which Lord Cardwell and Sir Henry Storks had to deal, and the object which they had it at heart to accomplish. Perhaps, if they had remained longer in Office they would have seen, or fancied they saw, the necessity for still further reforms. This was not the case, however, and to Mr. Gathorne Hardy—the present Lord Cranbrook—it came to find that some further reforms were necessary. Under the administration of the Department by Mr. Gathorne Hardy it was thought necessary that the whole subject of Control—or, rather, of the two Departments of Commissariat and

Ordnance Stores—should be referred to a Select Committee. This was done, and the Committee, which was known as Lord Cadogan's Committee, recommended that the Commissariat at least should be put upon what was called a military basis. It was felt that some change was necessary, especially with regard to the *personnel* of the Transport Department; but it was not found to be easy, in fact it was very difficult, to obtain the military element, by reason of the fact that officers preferred to serve with their regiments in time of war. This was not to be wondered at, any more than was the suggestion that a combatant officer should be delegated in time of war to the performance of *quasi*-civilian duties. There was very great doubt, indeed, whether a sufficient supply of officers would be found for this service, and whether, if having volunteered for it in time of peace, they would not, in the event of war breaking out, go back to their regiments as combatants. The experience of the Crimean War was certainly opposed to the view that combatant officers would, in case of war, consent to give up their positions as combatants in order to continue to occupy civilian offices to which they had been appointed. His object in mentioning these circumstances, which must be more or less tedious to many Members, was to bring the history of the Ordnance Store and Commissariat Departments down to the year 1879, when it was attempted to put the Commissariat on a military basis, and, as far as the *personnel* was concerned, to place the control of that body under the Adjutant General at the Horse Guards. Reforms of this kind must, of course, be more or less experimental, as had been the case in the Egyptian War, when the real responsibility would seem to attach to the General in command. The hon. Member for Glasgow (Dr. Cameron) had given Notice of a Motion on Vote 16 with reference to a very worthy public officer—he alluded to the Director of Transport—concerning whom he did not think any word of censure could be justly said.

Dr. CAMERON said, he wished to remark, in explanation, that the Motion of which he had given Notice was not one of censure upon the gentleman now holding the office to which the Motion referred, but upon the system.

Lord Eustace Cecil

Lord EUSTACE CECIL said, that it was far from his object to suggest that if any official ought to be censured it should be a subordinate, but that the censure should go higher; and in reference to that point he would say nothing as to whether, in his view, the responsibility ought to rest upon the General or his Chief of Staff. In any case, he thought it must be clear that the Department, as a Department, ought to be absolved from blame. He wished to know from the Surveyor General of the Ordnance whether he could give to the Committee any information as to the probable working of the new system which it was proposed to introduce? It was not possible, in the course of a speech which must be limited in its duration, to deal with a subject which had occupied the time of several Committees, and concerning which several Blue Books had been issued; but it must be patent to any hon. Member who had considered the question that the provisioning of an army in the field was a matter of the utmost importance, and that the *personnel* of the Department on which that duty devolved should be of the very best *matériel* that could possibly be obtained. He knew that it had been the practice of the officers in the Commissariat Department to do their duty in the best possible manner; but he knew also that it had been the practice, in course of wars in which this country had been engaged, in the public Press and elsewhere, to throw the responsibility of any disasters which had occurred to the Army upon the Commissariat Department, and he thought that very often that had been done with great injustice. The Commissariat Department had very difficult duties to perform; and it had, unfortunately, not many friends either inside or outside of the House of Commons. The result was that the old saying, "Hit him hard; he has no friends!" was acted up to. The difficulties of the Department generally arose, therefore, from the want of sufficient time and materials at its command. He had something to say as to the Medical Department; but this he should defer until the Medical Vote was reached. He wished, however, to ask his hon. Friend to say whether the present system of transport was working smoothly and well, and whether the employment of mules, which had been found of advantage in tropical and semi-tropical climates, might not be extended in countries which were neither tropical nor semi-tropical with a saving of expense? He should also like to have some information on the subject of transport carts, and particularly as to the use of the Flanders waggons, which, though unsuitable for use in Egypt, had, as he was informed, been sent out to that country for use in the course of the recent military operations. They were carts which would have been perfectly suitable for use in countries like France or Belgium, for instance, but were altogether unsuitable for use in a country like Egypt. As a matter of fact, from the first to the last of the Egyptian Campaign, there had been great and unnecessary haste. This country was not ready for the operations which were undertaken; and this was a very serious charge to make, because it was obvious that, in these days, if any country was in a position such as to make it necessary either to declare war or to defend itself from attack, it should be ready to do either one or the other at the shortest possible notice. His own view was, that if it should be found necessary at the present moment, this country could not send out an Army Corps consisting of 20,000 men. If it were necessary to send out a second Army Corps fully equipped, he felt certain that it could not be done in existing circumstances; and, therefore, he ventured to urge upon the noble Marquess (the Marquess of Hartington) the importance of paying particular attention to the Departments to which he had been calling the notice of the Committee. It was the more important that this should be done, because, as everyone knew, their Army had to do service in every part of the world, and under every condition of climate. He hoped the noble Marquess, who was actuated by the best motives, and who had a knowledge of the War Office going back for a quarter of a century, would give his best attention to this question. He wished to say a few words in reference to the Reserve Force. This Force was represented by a large number of men on paper, but most of them were simply "men with muskets." In saying that, he did not wish to depreciate the Force, of which he had a very high opinion; but he saw no means, under present arrangements, of putting them in the field, if it were necessary to do so, in a state of efficiency. What he wished to see was, that the Army of this country should be in a better state of preparation than it could claim to be at the present time. The subject was one which had, without doubt, been talked about *ad nauseam*, until Parliament and the public had alike lost interest in it. That being so, they had this other difficulty—that the Secretary of State in charge of the Army was so pressed for money that he was anxious to get his Votes through the House as quickly as possible. However desirous the noble Marquess might be to introduce reforms in the Army, he was met with many and diverse opinions as to the best mode of carrying out those reforms. Nothing could be more important than that the country should have, above all, contented Services; but, at the same time, it was an undoubted fact that much jealousy and discontent existed in the Ordnance Store, and unless great care was taken, those feelings would increase, and injury would be done to the efficiency of this important branch of the Service. When he was in Office, he was constantly receiving letters on the subject. It might be a small matter in the opinion of outsiders; but, nevertheless, there was that feeling of jealousy in the Ordnance Store that he had described. It was thought that the Commissariat had been much better treated than they had been. They complained that they had not a military title. This question was thoroughly well considered at the time; and it was found quite impossible, considering the prejudices which existed in the Army generally, to give to the civilians of the Commissariat or the Ordnance Store Department a military title. It would, no doubt, be one of the duties of his hon. Friend the Surveyor General (Mr. Brand) and of the noble Marquess the Secretary of State for War (the Marquess of Hartington) to see whether it was possible to content the Service by doing something in the way of either making it more military or more civilian, at any rate in the way of making it more contented. He (Lord Eustace Cecil) thought it was quite right he should mention here a grievance that he had previously brought before the House. He asked a Question the other day with regard to the storemen and firemen at Woolwich. These men, like everybody else, had a great deal to do at the time of the Egyptian Campaign. In the strict letter of the law he believed they were paid for overtime; but, at the same time, he thought that it was only fair to say that it was part of the contract with them, or at any rate it was an understood thing, that that overtime should be only exceptional. When, of course, it was carried on for days, perhaps for weeks, he thought the men had in equity, if not in justice, some sort of claim to extra remuneration. The Ordnance Store officers had a great deal of responsibility put upon them, and an immense deal of trust was placed in them. They were not overpaid, and they rarely got anything in the shape of decorations or remuneration of any sort. However that might be, he believed they had always done their duty most cheerfully and most contentedly; and he wished, as he said before, that that spirit should continue. It was absolutely necessary that any Department of this kind should be perfectly contented with things as they were, if it was possible to arrive at that state. He hoped that, if it were possible, his hon. Friend the Surveyor General (Mr. Brand) and the noble Marquess (the Marquess of Hartington) would consider whether they could do anything for these men, who considered that they were very hardly used as compared with the labourers. It would be only a fair and proper thing to see if it were possible to do something for them, considering the immense amount of labour that was put upon them during the Egyptian Campaign. He did not know that he had anything else to say on this Vote at the present moment. He had detained the Committee at some length, and if he had been a little tedious he hoped hon. Gentlemen would forgive him. He was anxious that the country should be in a state of preparation; and he did not think that at present they were in a proper state of preparation, notwithstanding the enormous amount of consideration and inquiry that had been given to the subject.

General Sir GEORGE BALFOUR said, the historical summary of the noble Lord the Member for West Essex did not do justice to the late Lord Hampton; and he (Sir George Balfour) desired to explain that Lord Hampton was entitled to the credit of initiating the Army reforms. The appointment of Lord Strathnairn's Committee was the first step, and before it he (Sir George Balfour) gave evidence as to the system in India, in regard to the Ordnance, and partly as to the Commissariat. On the proceedings and Report coming before Lord Hampton, he immediately invited Sir Bartle Frere, Sir Henry Storks, and himself to form a confidential Committee to suggest the reforms and the measures for reforming the Military Store and Commissariat system. On submitting their recommendations, Lord Hampton invited Sir Henry Storks to preside over the Department, and, with the assent of the Heads of the Liberal Party, then in Opposition, the appointment was accepted by Sir Henry Storks. He (Sir George Balfour) also was asked by Lord Hampton to aid Sir Henry Storks; and, after pointing out the objections which might be urged against his (Sir George Balfour's) employment in the War Office, he felt he could not resist the reiterated demand for his aid in carrying out the reforms and economies which Lord Hampton desired, and joined Sir Henry Storks. Important changes were proposed and carried out, both in the Ordnance and in the Commissariat; and here he must state that Sir William Power, the then Commissary General, took an active and prominent share in those important changes. He mentioned that able officer's name, because if they searched the roll of Commissariat officers of this century no name more able or better qualified could possibly have been found. The changes which were initiated in Lord Hampton's administration might be justly considered as the groundwork of the many changes since made. He (Sir George Balfour) did not venture to assert that those changes were free from defects; but, considering the difficulties thrown in the way of improvement by the Treasury, and by opposing interests, he did say that the arrangements effected were successful in promoting greater efficiency, and, undoubtedly, vast economy. Anyone who would look at the Army Expenditure would find that in 1868-9 the Army Expenditure amounted to £16,727,503, and in 1870-1 it had fallen to £13,869,882, which, in contrast with the Military Expenditure of the present year, of upwards of £18,000,000, showed most favourable results to the credit of the Control Department formed by Lord Hampton, and presided over by Sir Henry Storks. Unhappily, changes were made in the Control Department. The name of the Head was altered from Controller General to Surveyor General of the Ordnance, and Sir Henry Storks was made a Parliamentary officer, instead of remaining at the Department, the Chief of four great branches of the Army, having an annual expenditure of £6,000,000, and stores to the value of £29,000,000 or £30,000,000. He (Sir George Balfour) was then strongly opposed to this alteration of name, and virtually of responsibility, to the Secretary of State, by becoming a Parliamentary officer. And, since then, he had no reason for departing from the opinions he then entertained. He continued to think that the Surveyor General of Ordnance was entirely out of place in the House of Commons. He ought to be in his Office, instead of wasting time in attending to a few petty Questions, which the Secretary of State could easily deal with. It was impossible for him to be in the House of Commons, often eight or nine hours of the night, and then transact his business in the War Office for an equal time during the day. With regard to what had occurred in relation to the Transport and Commissariat in Egypt, it would be far better if the country had a Report from Lord Wolseley as to what he did, and what he failed to do, and in what direction the Ordnance and Commissariat showed defects. Such a Report was still wanting, before an opinion could be expressed. It was certain that ample means of stores and supplies were at the disposal of that gallant Officer; and with the liberal use of money an abundance of camels, the finest kind of transport for Egypt, could have been obtained. It was a surprise that the 30,000 camels which the Tribes formerly furnished for the transport of baggage and merchandize, before the railway was opened, had not been obtained. Before the operations commenced it was understood that arrangements had been made for securing the transport, and the reason of the failure should be made public.

MR. PULESTON said, he was not quite certain whether this was the time to call attention to the subject of the Contagious Diseases Acts. His impression was that it might be raised more fittingly on another Vote. At all events, he should like to know whether he should be in Order in reverting to the subject? The House had been promised a Bill, and the noble Marquess (the Marquess of Hartington) had said he might introduce it to-night. Whenever that Bill was introduced, they could only hope to have a discussion upon its principle on the second reading. The second reading of the Bill, however, might be delayed for a considerable time, as there was no knowing what blocks would be put against it. It was essential that the discussion on the subject should not be relegated to the closing days of the Session; and, therefore, he was unwilling to allow this opportunity to go by without having some assurance from the Government that they would have an early opportunity of considering the extraordinary course—an unparalleled course in the history of legislation—which the Government had pursued in reference to the Contagious Diseases Acts.

THE MARQUESS OF HARTINGTON said, that if the hon. Gentleman would refer to Vote 15, he would find that under Sub-head H provision was made for the expenses of working the Contagious Diseases Acts. If it was at all necessary to discuss the matter in Committee of Supply, the most convenient opportunity would be when Vote 15 was under consideration.

DR. CAMERON said, the noble Lord (Lord Eustace Cecil), who opened the discussion, spoke about different persons giving advice regarding the Commissariat. The noble Lord said that one man gave his opinion, and another his opinion, as to how to do the work; and said that such advice generally amounted to advice as to how not to do it. He (Lord Eustace Cecil) had been a reformer at the War Office; and he (Dr. Cameron) was sorry to say that the noble Lord's reforms had resulted in about the perfection of how not to do it. The Commissariat Department in the late war broke down in what might have been a very disastrous fashion, and yet the Committee were now asked in this Vote to vote nearly £200,000 for that Department, an increase of £20,000 over the amount voted last year. He did not grudge the money, because he considered it a most necessary Department for an efficient Army; but what he did complain of was that the system was such that they had a most inefficient Commissariat. He thought it was but proper that the public should know the extent to which the Commissariat and Transport Services broke down in the late Egyptian Campaign, and why they broke down. The Commissariat and Transport Staff was in such a condition as to be almost unworkable; it was officered not only by trained Departmental officers, but by regimental officers, who left their regiments temporarily, with a view of returning on some future occasion. These officers entered into the Commissariat Service at such an age as to be too old to learn the fundamental duties of that Department, and they were retired at such an age as prevented them from looking to that Service as a settlement for life. Men high in the regimental ranks were placed in the Commissariat under men with lower regimental rank. Those men had to work under them the most unworkable materials. In the Transport Service drivers were sent out, selected from Infantry and Militia Reserves, who knew nothing about horses, and who could not even ride. There was no school to train the officers. The auxiliary drivers hired in times of war were even worse than those he had described. In the late Egyptian War, he (Dr. Cameron) understood that the Transport Service drivers were largely composed of the tag-rag and bobtail of the Levant. The most unfortunate thing was that the Department was going from bad to worse; for as the experienced officers who had pulled the Department through all the strain of the Egyptian Campaign retired there was no one to take their places. He did not want to find fault with the Department, and he felt inclined to agree with the noble Lord (Lord Eustace Cecil) that for some of its shortcomings the General in command was responsible. He (Dr. Cameron) did not, however, think it was fair to throw all the blame upon the General in command any more than upon the Commissary General. The fact of the matter was that the evil was attributable to the system of divided responsibility, for which the noble Lord (Lord Eustace Cecil) himself was largely responsible. An Order was issued in 1878 which overturned the old system, and inaugurated the system which now prevailed. Under the present system there was a Director of Supplies and Transport, who was at the head of the Department. His business it was to be charged with the supervision and control of the Commissariat and Transport Services of the Army. There was also a Commissary General at head-quarters, who was supposed to be the adviser of the Surveyor General on all questions relating to the *personnel* of the Commissariat and Transport Department. It was laid down in the Order in question that the Commissary General should give the benefit of his Commissariat experience upon all questions on which his advice would be useful. It would be seen that the duties of this officer were not very distinctly defined; but the Committee would infer, from a number of Questions which had been asked in the House upon the subject, that the Commissary General had never been consulted in any of the matters in which his experience would have been most valuable. The Commissary General was a man of great experience and at the head of his Department. The country paid him £1,500 a-year, and it also paid to three other gentlemen £1,095 each yearly for the benefit of their Commissariat experience. When, however, war occurred, and the country needed the advice of these gentlemen, they were thrown overboard. In peace time we pursued a proper and rational system. Let the Committee consider what took place in times of peace. He would give an illustration of flour bought for Aldershot in time of peace, and flour bought in time of war for Egypt. Supposing it was required to buy flour for Aldershot. The Director of Contracts advertised for tenders; tenders were sent in to the Commissary General at Aldershot; he selected his tender, and obtained for it the approval of the General in command. Having done that, the tender selected was sent on to the Director of Contracts, and if he approved of the tender, he intimated the fact. The tender was then accepted, the flour was sent to Aldershot, and there it passed the Commissary General, who gave a voucher that everything was right. That voucher was handed back to the Director of Supplies and Transport, who in this case really acted as auditor. That was what occurred in time of peace, and a better plan could not be devised. Expert Commissariat officers were entrusted with the purchase, and there was a strict system to see that every precaution was taken that the articles purchased should be all right. But when it came to a time of war all that was changed. What happened in the case of the purchase of flour for Egypt? The Director of Supplies and Transports, who in times of peace really acted as an auditor, went into the open market, and by means of a Government broker, on whose advice he acted, bought flour. Now, the flour purchased for Egyptwas American flour, and was sent out in accordance with the advice of the civilian broker in barrels. When it was landed it was found that, to a large extent, it was unfit for food. It had been said that that flour was only for the early supplies; as a matter of fact, two months' supply of flour was purchased by the broker in question. The Commissary General was not consulted; indeed, the flour was bought in defiance of all Commissariat experience. The Commissariat never sent American flour to Malta, because they knew from experience that it would not keep. They had established mills there, and they had proposed the establishment of mills at Gibraltar. In this case they were not even shown the samples of the flour, neither were they consulted as to the mode in which it should be packed. The consequence was that when the flour arrived in Egypt it was bad. He had also asked a question about the mouldy hay that was sent to Egypt; that hay went out in exactly the same fashion as the flour. It was bought by the Director of Supplies and Transport, who was in times of peace a kind of auditor, but who had no Commissariat experience—it was bought by him, not through those experienced Commissariat gentlemen for whose services the country paid £5,000 a-year, but through the agency of a private broker; the hay turned out in large part bad, and had to be used for bedding. He understood that the hay was pressed in some new machine. Now, war time was not a time to make an experiment. They ought not to "swop horses crossing a stream;" indeed, transport was so costly that it was perfectly unjustifiable to resort to experiments in time of war. That however, did not exhaust the matter in connection with the Transport Service. The purchase of mules was most important, and according to an Order that had been read the Commissary General was to have the absolute supervision of the Transport Service Corps, and yet in this matter again he was thrown overboard. Mules were purchased in Malta, and for some time they were purchased there by an Infantry officer, without any assistance from any veterinary surgeon. Some mules were bought at Smyrna by an Artillery officer, who had a veterinary surgeon accompanying him. The veterinary surgeon would not pass some of the mules; but the Artillery officer told him that that was not his affair, and he would pass them. The veterinary surgeon complained that not only was the Artillery officer not guided by his advice, but he would not allow him to have any say as to the management of the mules. It was a fact that even the branding irons that were necessary to mark the mules purchased were left comfortably in the hands of the contractor, so that he could do just what he liked with them. The mules were shipped, but the barley could not be got at, so that the poor animals were required to live on chopped straw for nine days. Could people wonder why the wretched beasts did not come up fresh and spirited when they landed? As a matter of fact, two-thirds of them were not fit for work until after Tel-el-Kebir had been taken. What occurred at Smyrna was not exceptional. As a matter of fact, some mules were purchased in Syria, and two-thirds of those were unfit for work for weeks after they landed. That, however, did not exhaust the matter. A quantity of pack-saddles purchased abroad for those mules turned out utterly useless; there was nothing to hang the packs on, and the saddles provided were returned to store. The same thing with the waggons. They were sent out, and were intended to be drawn by two horses. As a matter of fact, two horses could not even draw one of the waggons over the sand of the Desert when it was empty. He understood, also, that the wood fuel was sent out in such lumps that it could with difficulty be used. Stationery forms, which were in immense demand in times of war, were not forthcoming for a month, and many of the stores were destroyed in transit. After the purchases were made in the ridiculous fashion he had described, they were handed over for shipment to the Naval authorities. There was a rule that what was called a cargo book should be kept; but, as a matter of fact, it was given in evidence before Lord Morley's Committee that in several cases the Naval authorities did not know where the cargo was stored. It took two days to find a much-needed consignment of flour, three days to find tea, and five days to find sugar. Although the Commissary General ought to have control of such matters, he was never consulted in regard to any of them. The Commissary General in the field was never told of the removal of the base of operations from Alexandria to Ismailia. It appeared that Lord Wolseley had issued embarking orders, but that some of the regiments had not cared to obey them, and did not bring with them the two days' rations he ordered them to take, and there was no machinery for serving out supplies at Ismailia. There were no weighing machines, no clerks, no nothing. When the men were ordered to march the supplies could not be carried forward, owing to the utter breakdown of the regimental transport; and it was found, in connection with the regimental transport, that there was no shoeing arrangement, so that the mules attached to it were really dependent upon charity for getting shod. The squadron carts, whose service sought to have been utilized in bringing up the supplies, were utterly useless. These squadron carts had been condemned, over and over again, as unfit for anything. An hon. and gallant Friend (Sir George Balfour) had spoken about the camels as the natural mode of transport. He understood that camels were offered to the Chief of the Staff in Egypt, but that they were refused. The Chief of the Staff wanted to hire the camels; but the Egyptians were shrewd enough to see that it would not pay to let out camels in war time. After the Battle of Tel-el-Kebir, the authorities got hold of a number of Egyptian camels, and if they had had drivers they might have been made useful; but until they pressed the Egyptian prisoners into that service they had no drivers. Then again, unfortunately, some of the camels took it into their heads to walk into the Canal along with their baggage. It must, however, be borne in mind that the camels were offered, and could have been purchased, while they were wasting money in every other direction. If ever anything extraordinary broke down, the Army looked at once to the Commissariat for an alteration; and whenever anything went wrong, there was a general cry of "Hang the Commissary General." No doubt that would be an effective and striking remedy; but on this occasion it would have been totally unfair. It would have been unjust to hang the Commissary General. He was not consulted about the flour sent out; he knew nothing about the bad hay, or the purchase of mules; he had, probably, expressed his condemnation of the carts; he was not asked about the saddlery; and he knew nothing about the shipment of stores. He was not even informed about the change of base, and it was no business of his to buy the camels. On the contrary, the Commissary General, considering the system under which he worked, did wonders. He had requisition for all sorts of supplies made upon him, in excess of what was allowed by the Regulations. He (Dr. Cameron) was told that the number of waggons that went up with some of the head-quarters was something astonishing. One-half of the transport, in one case at least, was taken up by the baggage for head-quarters, and the supplies for the Transport and Commissariat Services themselves. He believed that the amount of Transport at the disposal of the Commissariat was utterly inadequate; and it was, to a considerable extent, in consequence of this that the Transport Service broke down. But, be that as it might, the Transport of one Division could not bring up much more than one day's supply for the men alone. There was no provision made for carrying up forage or fuel, and these indispensable articles had to be carried up at the expense of other things. In regard to hay, it was impossible to obtain forage. The Veterinary Department said—"We want more forage; it is absolutely necessary that we should feed our horses well, while they are doing this hard work." But the Commissary General was obliged to lay down the rule that the further the Cavalry were from the base, the smaller should be their rations. Taking everything into consideration, it was wonderful how the few trained, energetic, and zealous officers belonging to the Transport Service in the Egyptian Campaign did their work at all. But if they could not hang the Commissary General for the reasons he had stated, then it appeared to him that the only other practical chance of obtaining reform was to oppose the Vote. He did not blame the Government in the matter. He thought they had had thrust upon them a baneful legacy from their Predecessors. He did not propose to move the disallowance of the Vote at the present stage, because he trusted that the hon. Gentleman at the head of the Department (Mr. Brand) would be able to tell the Committee that he contemplated some thorough reform of the whole system. In short, there ought to be very little difficulty about it, for what they really wanted was undivided responsibility. It appeared to him that there was no second question in regard to the propriety, as recommended by the Commissary General, of having a supercargo on board ship to see where the supplies were stowed, and to know how to lay his hands upon everything when it was wanted. There could be no second opinion as to the absurdity of retaining Commissaries General at headquarters at a time of peace at high salaries, and dispensing altogether with their services in a time of war. They had seen that the present system did not work well; but if they preferred to go into market, and obtain full value for their money through a Government broker, they must also adopt an entirely different system. They would then save the money that was now wasted upon Commissaries General. At any rate, do not let them keep up this dual system—a system practised in a time of peace, only to be thrown aside in a time of war.

Mr. BRAND said, he thought the criticism which had been passed upon the Commissariat and Transport Services was one which would be of very great advantage to the Army; and he fully agreed with the statement made by his hon. Friend the Member for Glasgow (Dr. Cameron), that the Commissariat officers in Egypt had done wonderfully good service. The Transport of an Army was, perhaps, the most important branch of it, because without Transport no Army could exist, and certainly could not move. He had no doubt that the Transport Service required careful organization in a time of peace, and yet it was impossible to have their Transport complete in a time of peace. Therefore, the object they must have in view, in organizing a good system, was to have the Transport Service capable of expansion, so that when war came upon them they might be able to expand the Service and meet the requirements of the time. The difficulty, no doubt, had been felt not only in the case of the Egyptian Expedition, but in all the recent wars in which the country had been engaged. In his opinion, the difficulty as regarded the Departmental Staff of the Commissariat and Transport had been met by the changes introduced into the system some two years ago, by making the Departmental Staff of the Commissariat and Transport more military. He had to say, in answer to his noble Friend the Member for West Essex (Lord Eustace Cecil), that it had been found the system, so far as peace was concerned, worked well. There was no difficulty in obtaining officers in the Commissariat and Transport Corps; and he believed that under the Warrant the Secretary of State had power, if he found it desirable, to make permanent the services of officers who had shown ability and capacity in connection with the Transport Corps. He could not make the same remark in regard to the rank and file. That was a much more difficult question. His noble Friend asked him to let him know what the decision of the Committee was with respect to that portion of the subject? All he could say was that the Committee appointed to inquire into the matter had only recently reported, and their Report was now under the consideration of the Secretary of State; but he believed it would be found possible to carry out some of the recommendations of that Committee, and that they would be able by that means to give the rank and file of the Commissariat and Transport Corps expansion; and that the Secretary of State would be able, by limiting the time of service of the rank and file of the Commissariat and Transport Corps to three years, to form a valuable reserve in connection with that Corps. In that way he thought they would be able to solve the difficulty as regarded the rank and file; but he could not say anything further on that point, because, as a matter of fact, the detailed recommendations of the Committee had not at present been approved by the Secretary of State. His noble Friend had referred back to the history of the Commissariat and Transport Corps. He (Mr. Brand) did not think at this time it was necessary for them to go further back than the year 1870, when the Surveyor General was appointed, and, under an Order in Council, made responsible for the supply and transport of the Army. At that time a Military Department — the *personnel*, the control of the *personnel*, and the discipline of the Commissariat and Transport Corps—was under the Surveyor General. His belief was that the change which was made, transferring the control of the *personnel* and discipline of the Commissariat and Transport Corps from the Surveyor General, who was a Parliamentary official, to the Commander-in-Chief, was a good one. At any rate, the Commander-in-Chief had control at home; and he considered that the Commander-in-Chief in the field should have complete control of the *personnel* of the Army in the field.

General Sir GEORGE BALFOUR said, he had never disputed the propriety of the Commander-in-Chief in the field having the control; but what he contended to be a mistake was that the Commander-in-Chief at home should have control in a time, not of war, but of peace.

Mr. BRAND said, he thought that the control of the Transport and Commissariat Service ought, as far as possible, to be assimilated to the general organization of the Army; and as long as the Civil Department had control over the expenditure he thought the nearer they kept to that system the better it would be for the Army. His noble Friend had asked him several questions with reference to the arrangements that were made for the Egyptian Expeditionary Force. The noble Lord had asked him questions as to carts. Two-wheeled carts were provided for the Expedition to Egypt on the demand of the Commander of the Forces; but wheeled carts were found to be of no good in that country, and the whole of the transport in Egypt, except that which was carried by water or rail, was conducted by mules. That mode of conveyance was found to be the best means of transport; and certainly he thought that mules were much better adapted for transport purposes than carts in that country. The noble Lord asked him a question in reference to the amount of transport they had. They had transport waggons sufficient for one Army Corps at the present time; and, as the noble Lord was well aware, it would not be desirable for them to keep a large store of waggon material in this country, the more especially when they bore in mind the fact that in all wars of recent years they had been obliged to take the transport they could find in the country in which the war took place. His hon. Friend the Member for Glasgow (Dr. Cameron) had made an attack upon the present organization of the Department, and the hon. Member had stated that there was a divided responsibility. Now, in 1878, Mr. Halliburton was appointed Director of Supplies, and in the hands of that gentleman also was placed the control of the transport of the Army. At the same time, the grievances of the Commissariat branch were also met. It was urged that there ought not to be officers from that Staff on full pay having control over the *personnel* and discipline of the Corps. It was evidently inadvisable to place in the hands of a Commissariat officer on full pay the control of questions relating to the allowances to his own forces. As far as regarded the present holder of the office, he could only say that during all the time he had been in that position he had performed his duties in the most admirable manner. There was no officer of the Staff whose services had been more valuable than those of Mr. Halliburton. The result of the system, whatever objection there might be to it in theory, had been good. Since Mr. Halliburton's appointment, in 1878, they had been engaged in four wars—namely, in a war at the Cape, in the Zulu War, in the Transvaal War, and latterly in the Expedition to Egypt; and in every one of those cases the bulk of the supplies sent from this country was sent in sufficient quantity and in good order. When they came to think that 20,000 tons alone were sent to Egypt, and that there was not one single failure in the supply, except in respect of the flour mentioned the other day, he thought the Committee would say that the result of the system in practice had been thoroughly good. He would not refer to the Report of the Departmental Committee further than to state that in two paragraphs in that Report the Committee acknowledged that the work of supply was well done. They said that there were abundant supplies of meat and plenty of vegetables, and they thought that no complaint whatever could be made against the Department here which was responsible for the despatch of supplies from this country. With regard to organization, his hon. Friend the Member for Glasgow (Dr. Cameron) must remember that there had been a great many changes in the Department. Her Majesty's Government were certainly not responsible for the special organization of the supply and transport branch now in existence; but he thought it would be advisable not to make any further change in the Department until some serious weakness had been found out. The result altogether had been satisfactory; there were certain points, no doubt, brought out by the Egyptian Campaign which deserved the serious consideration of the War Office, and these matters were now under the consideration of the Secretary of State. With reference to the remarks his hon. Friend had made in regard to the mules, his hon. Friend asked him various questions upon that matter. He had already acknowledged in that House that the conduct of the officer sent out to purchase the mules was reprehensible in not acting on the advice of the veterinary surgeon.

Dr. CAMERON said, he had not complained or mentioned the name of the officer; but he had spoken of the system.

Mr. BRAND remarked, that he was coming to that point. The system was, as a matter of fact, a simple one; and if competent officers were sent out, there could be no difficulty in obtaining a supply of mules; but there was great pressure, owing to the shortness of time in which they had to make the arrangements for the force to be sent to Egypt. Nevertheless, the countries in which the mules could be found were well-known, and there was no difficulty in obtaining a supply of mules. An officer was sent to Smyrna for the purpose of purchasing mules; and if he had acted on the advice of the veterinary surgeon, he would not have sent mules to Ismailia in the condition which had been described by his hon. Friend. There could be no doubt whatever that in that particular case mules were sent out which arrived at Ismailia in a bad condition; and he regretted that in this instance the advice and counsel of the veterinary surgeon were not taken. He did not know that there were any other questions which had been put to him in the course of the discussion which it was necessary for him to answer. If there were, and his noble Friend would call his attention to them, he would be very happy to answer them as far as possible. There was, however, one point alluded to by his noble Friend—namely, the question of gratuities to the storeholders of Woolwich Arsenal; and all he had to say on that point was that the question had been carefully considered by the Secretary of State, and he saw no reason for re-opening it.

Sir WALTER B. BARTTELOT said, there could be no doubt that this was as important a question as could possibly be brought before the Committee of Supply in connection with the Army Estimates; and he was extremely glad to hear his hon. Friend the Surveyor General of Ordnance state that he was quite prepared to listen to any suggestions, and, if possible, improve the present system, which he himself admitted did not work quite as well as it might do. They knew perfectly well that the hon. Gentleman was quite right when he stated that it was the usual practice not only of this Government, but of all Governments, at the moment a war was over to dispense with all the services as far as possible, and especially to reduce the services connected with the control and discipline of the Transport and Commissariat Corps down to the lowest numbers possible. He contended that that was one of the most unwise courses that could possibly be pursued. They all knew perfectly well what took place in the Crimean War. At that time everybody was outspoken because the alarm was so great. It was felt that they were never in a position to go to war, and were never prepared for what might happen. At that time statements were made in Parliament to show that the same thing could not occur again; but he ventured to say that in every war which had taken place since the same thing had occurred; and they had not profited by the lesson taught, severe though it was. The hon. Gentleman the Surveyor General of the Ordnance admitted the fact himself, when he stated that no complaint whatever was made about the 20,000 tons of supplies sent out to Egypt. The complaint was that 20,000 tons of supplies might have been received there; but they were not available for the troops. That was the one main point the Surveyor General of Ordnance ought to have directed his attention to. When they recollected the pride with which it was stated to the House that, at any rate, the Expedition to Egypt would be sent out without let or hindrance to its being conducted in the best way, it was disheartening to find, at the very commencement of the operations, although it was perfectly well known, and was stated on authority, that on a certain day the Battle of Tel-el-Kebir was to take place, and although it was perfectly well known that a change of base was to be made from Alexandria to Ismailia, and it was the easiest thing possible to have sent sufficient transports, sufficient medical stores, and all other appliances that were necessary —it was disheartening to find that no care or thought whatever was taken in regard to the supplies, and that the first portion of the Army had to march into the interior of the country absolutely without supplies or the means of transport. He thought the Committee were very much indebted to the hon. Member for Glasgow (Dr. Cameron) for the great care, pains, and trouble he had been at to collect all the facts he had stated so clearly, showing how the different things had been purchased that were to be sent abroad, and how the supplies were purchased which were obtained from foreign countries; the little care that was taken of some of the articles purchased, and the condition in which they arrived in Egypt. If he (Sir Walter B. Barttelot) was rightly informed, it was an absolute fact that there was no transport at all when the troops reached Ismailia. There were no mules at Ismailia; but camels could have been had for £16 a-piece, with all their kit and packs, and they would have been of the greatest service to the Army as the troops marched up to Kassassin. But there was a General Order issued that, without further instructions, no camels were to be bought, and no camels were bought. He was informed that the Chief of the Staff, who was the second in command, knew that he could get as many camels as he considered necessary; but he only asked that he might be permitted to hire camels, and on the part of the Egyptians that offer was wisely refused. What was £16 a-piece for camels, when it was necessary that the Army should be sent up in the best condition for fighting? It was lamentable that such events should have taken place in the Egyptian Campaign. There was one thing more. Everything was supposed to be all right. The railway was said to be in working order, and the Canal was said to be in working order; and, therefore, any other means of transport would not be required. But everybody knew that the first thing that took place in a war was the destruction of the railway system; and, if there was a canal, it was at once stopped, and they were not able to use it. No provision was made for these events; and, if he was rightly informed, the small transport attached to the Medical Service for transporting the stores necessary for the sick and wounded was taken in order to convey to the front the food absolutely necessary for the troops, and the medical stores were left behind. He believed he was correct in making that statement. Then what he had to say upon the matter was that they ought to learn a little wisdom from what had taken place, because if the Battle of Tel-el-Kebir had not been fought when it was, the consequences might have been most disastrous. Let them, in the future, look a little more closely into these matters, and he thought some grave defects might be detected. The Regulations for the Army Transport, as they at present stood, he thought, were objectionable, no distinction being made between the transport required for the equipment of the troops in the field and that wanted for the supplies and stores of the Commissariat Departments. The equipment of the troops on a fixed quantity, and the transport required for tents, tools, baggage, first reserve of ammunition stores, and, say, four days' rations and forage, could easily be calculated. The transport required by the Control Department must always, with an army in the field, be an uncertain quantity; it must vary with the distance the troops to be supplied were from the Commissariat base of supply. To meet these requirements, there should be two distinct systems of transport—one a military organization, the other more on a civil footing. The Military Transport should be arranged by troops, each troop capable of transporting in war time the equipment of a brigade; whilst the Commissariat Transport should not be a fixed quantity, but must depend upon the nature and extent of its work for its organization. A proper nucleus should be kept up in time of peace on which to form Field Transport when required. He would not go further into detail; but he trusted that such a discussion as they had had that day would do good; because, if there was one thing the country ought to be prepared with, it was a thoroughly organized and efficient Transport and Commissariat Service. He might go one step further, and he would say that the Medical Department ought to have a Transport entirely to itself, which should be totally distinct from any other, so that the men attached to it would be in a proper position to carry up all the stores that were necessary. They were now to have a complete Army Corps at home, always ready for immediate service; but he thought the country ought never to be satisfied until they received a satisfactory assurance that the Army Corps was absolutely and thoroughly complete in every respect—complete in regard to its Control Department, its Transport, its Commissariat, and in regard to its Medical Staff. If they would only place those matters in a perfect state of organization he was sure there would not be 1*s.* wasted, and that the utmost advantage would be secured whenever a war broke out again. A great country like this ought always to be prepared, and he thanked his right hon. Friend the late First Lord of the Admiralty (Mr. W. H. Smith) for all that he had done to place transport ships in a state of readiness for any eventuality. By sea they had everything in good order. No other nation could have touched them in sending out an Army in the way they sent out the Expeditionary Force to Egypt; but as regarded the control of that Army, the Commissariat and the appliances necessary for the comfort and merciful consideration of the sick and wounded, they absolutely and entirely failed. The defects which had been pointed out were far from creditable to them. He pressed, as strongly as he could, on the noble Marquess the Secretary of State for War not to let these things pass by without an attempt being made to remedy them. It was not easy to say when they might be at war again, because, as they all knew, war came when it was least expected, and at a time when they were least prepared for it. All he asked the noble Marquess was that he should be prepared for any future emergency. Hereafter all responsibility would fall upon the Secretary of State for War; there was no longer a dual command; and the noble Marquess was the Minister they had to look to, because upon him the great responsibility would rest. He sincerely hoped that good would result from the discussion which had taken place.

Colonel O'BEIRNE said, he thought the Committee should insist on knowing who was really responsible for the mistakes which had taken place in connection with the Commissariat. Who was responsible for the bad flour, for hay that was unfit for use, for saddlery that was of no service, for fuel that could not be made available, and for the other defective stores that were sent out to Egypt? All these matters ought to be known. It seemed to him that the Surveyor General of the Ordnance rather approved of the way in which the Commissariat was carried out in Egypt, because he had nothing more to say than that the supplies were sent out in an adequate and proper manner. It was, however, a very serious question to consider; because it concerned, not only the credit of individuals, but the well-being of the Army. If the Commissariat was not in an efficient state, the Army was perfectly useless. The Surveyor General of the Ordnance had passed over all that the Committee really wanted to know. It was absolutely essential, he thought, that they should be told who was responsible—for instance, for the flour sent out being utterly useles? He hoped that the hon. Member for Glasgow (Dr. Cameron), in order to make a practical protest against the manner in which the Commissariat's work was carried out in Egypt would take a Division upon the Vote.

COLONEL STANLEY wished to say a few words upon the Vote, in consequence of some of the remarks which had been made in the course of the debate. Undoubtedly, it always had been, and always would be, very easy to find fault with the Transport arrangements, in connection with military operations abroad; but he wanted to bring back to the minds of the Committee the different circumstances under which England was placed from those of other countries. He did not say that there might not be a complaint made here and there; but he thought that that which should be at the bottom of every change was a want of readiness in the country, and a want of means at hand for carrying forward with efficiency the Transport operations connected with a campaign. He would ask hon. Members whether they really saw what that meant if they were to keep up Transport arrangements and a sufficient regimental Transport Service in a time of peace? He entirely concurred in the advantage of regimental Transport; but if it was necessary to keep it up constantly in a state of efficiency it would entail enormous cost upon the State. It would be necessary to incur very large expenditure in maintaining large stores and men for a Transport Corps in a time of peace; and he ventured to say that when they came to this Vote in the Estimates the criticisms which his hon. Friend the Surveyor General of the Ordnance had undergone that day would be as nothing compared to what he would have to undergo hereafter. But that was not all. It was desirable to come to an entire agreement as to what was really required for the Transport Service. A few years ago opinion was in favour of wheel transport as compared with pack; but some time afterwards it was thought to be better to provide pack transport instead of wheel. Then, again, his hon. Friend the Surveyor General of the Ordnance said that the experience of those who had had to do with mule transport led them to the conclusion that it was, in some respects, better than transport by camels. All these were essential points, and it must be borne in mind that the kind of transport that might be suitable to the Cape would not be the sort of transport that would be useful in Egypt. On the whole, if the Committee were inclined to say that there should be one uniform system of transport, he was rather driven to the conclusion that they should prepare Estimates with a view to the transport in future being probably required to be all by camels. If they could carry it on wholly in that way all the better. Henceforward, he thought they should bear in mind the possibility of having to carry on their transport, or the greater portion of it at all events, upon what was called the pack system, rather than they should be compelled to depend wholly on wheel transport. Then, as regarded the cart and the waggon trains—there, he thought, they had profited less by their experience than they might have done. A certain portion, and not a considerable portion, of the train which was provided out of the Vote of Credit some years ago, did, as a matter of fact, come into use at the Cape; but he was free to admit that taking a country like Egypt, and other countries of a similar nature, where the Army was obliged to operate, it was an undoubted fact that a large proportion of the transport was a great deal heavier than was found to be practicable or they would care to use if they could possibly find any other. He presumed that the wheel carts alluded to by his hon. Friend were Maltese carts, or some adaption of them. And in a country where there were no roads that would probably be the best kind of transport they could use. Then, again, as to the question of drivers. Of course, it would not be so difficult to keep up a staff of drivers as it would be on account of the expense to maintain a large quantity of regimental transports; but, then, if they kept up the drivers without having the transports on which they were to practise the advantage of keeping up a staff of regimental drivers became really a very questionable one. It would be within the recollection of the Committee that the noble Marquess the Secretary of State for War said something about an intention on the part of the War Office to carry out in a time of peace a system of regimental transport. He believed there was some idea of seeing, at all events, to what extent such a system could be utilized in preference to a system of general transport conducted under the Commissariat. But there, again, he must point out this difficulty—that if they had regimental transports, they must either have a large and unnecessary reserve of animals to replace those which broke down, or, on the other hand, they must have a regimental transport of moderate dimensions. Then, again, until it was known, with some approach to certainty, in what country they were going to operate, and the system under which they were going to work, it was impossible to say what kind of transport was wanted, and there would hardly be any advantage in keeping up a particular kind of service at a very large expense, which in all essentials might fail them at the very moment they required it. He thought it was better to know they were not prepared than to think they were prepared and then find out their mistake when too late. There was another point which had slipped out of sight. It was said, and said truly, that all the stores in connection with the recent Expedition were shipped properly, and that everything was sent out for the use of the Expedition that could possibly be required. That, for the purposes of the moment, was a statement which he was fully prepared to accept; but it was said that the different stores could not be found at the moment they were wanted. That, at all events, was the assertion which was generally made in regard to the question of shipment from one port to another. He did not know whether any appointment was ever made; but it was within his recollection that some person of great experience laid stress on the necessity of having an officer to go out as a sort of supercargo, who should see that the stores were properly shipped, and that they were not disarranged and re-stowed and placed where they could no longer be got at. That question of sea transport brought him to another question. It had been said that they ought to have the transport always with the regiment, and that the two should be kept as far as possible together. That was not a new question, but it was one that was well considered by the Committee which sat upon the Mobilization of the Army in 1878. That Committee came to the conclusion that instead of having wheel transports with the regiments likely to embark it would be better to have it all ready at the port of embarkation, because they must make certain provision for stowing the stores on board ship. The Committee, therefore, came to the deliberate opinion that instead of having the transport at Aldershot and the Curragh, or such places, it would be better to have it at Plymouth and Portsmouth, and the ports from which the troops were likely to embark. In the criticism which invariably took place upon this Vote these were considerations which he ventured to suggest ought not entirely to be lost sight of. As regarded the organization of the Department, he was glad to hear that his hon. Friend the Surveyor General of the Ordnance, on the whole, approved of the system which he and his noble Friend near him (Lord Eustace Cecil) instituted when in Office. His hon. Friend, who, of course, was on the watch for any defects, would, no doubt, do his best to remedy any that were discovered. But of this he (Colonel Stanley) was certain—that they could have no system of Transport Service capable of expansion, unless, to a certain extent, they admitted into the Commissariat Department for the time being combatant officers. It was necessary that there should be a spirit of contentment among the officers of the Commissariat Department; but the Staff should not be altogether composed of non-combatant officers when a war broke out. The expense would not be very great, because it would not be necessary to keep up in a time of peace an excessive Department. Of course, promotion would be slow, but they would have men of mature age, and a Service in which a great deal of good material could be found when wanted. That was a desirable object to attain, and hence it was felt that they ought to have a system which could be expanded in a time of war, although it might only be a small one in a time of peace. It was also felt desirable that those who were brought into the Commissariat Department should be competent officers, with habits of subordination, and accustomed to look to a military Commander for everything. Although it was not to be expected that they were to lose sight of financial considerations, nevertheless they should make the military duties connected with the Commissariat their primary consideration. These were all the remarks he thought it was necessary to make, and he hoped the considerations he had brought under the notice of the Committee would not be lost sight of. It was only by taking advantage of the experience of a campaign when it occurred with the determination of remedying the difficulties that were found to exist that they could hope to arrive at that perfection which he was satisfied was the object of his hon. Friend the Surveyor General of the Ordnance.

Sir HENRY FLETCHER said, he did not intend in any way to oppose the Vote that was before the Committee; but he had stated, on a previous occasion, that he would take the first opportunity of asking his hon. Friend the Surveyor General of the Ordnance a question about the bedsteads sent out to Egypt. The troops at Aldershot had been deprived for some considerable time of those useful articles; and he, therefore, thought the present Vote afforded a fitting opportunity to ask whether anything had been done to provide that in the event of another war such as that which had recently taken place in Egypt, the troops at Aldershot should not be entirely denuded of bedsteads, as they were on that occasion.

The Marquess of HARTINGTON said, he rose to answer one or two of the questions which had been put to him by the right hon. and gallant Gentleman the Member for North Lancashire (Colonel Stanley). The right hon. and gallant Gentleman had referred to what he (the Marquess of Hartington) had said, in moving the Army Estimates, on the subject of transport. His statement on that occasion was that plans had been prepared by a Departmental Committee to utilize some of the animals sent home from Egypt, and to make provision for the establishment and employment of a larger amount of transports, so that it might be in readiness to accompany the first Army Corps sent out on active service, and that it might be permanently employed in a useful manner in a time of peace. He had stated that the military authorities concurred in the desirability of maintaining a regimental system of transport, and that the matter would be thoroughly considered. It had been considered by a Committee in which the military element was largely represented; but he had only seen the Report of the Committee, without being able to enter into all the details, and there had not been time to arrive at any conclusion upon it. He might, however, say that, although they were extremely desirous of having a system of regimental transport permanently maintained, they could not see their way to recommending any plan by which such a transport system could be usefully kept up in a time of peace. He was afraid that such a system as that suggested by the right hon. and gallant Gentleman the Member for North Lancashire, although it would involve a large expenditure in a time of peace, would really be almost useless in a time of war; and it would be found that when war did break out, they were by no means better provided for than they were now. He trusted, however, that it might be possible to extend the number of Commissariat and Transport Companies, and to provide them with useful occupation. That would enable a larger number of men to be trained for the Transport Service; and the value of the system would be more easily developed in a time of war than it could be now. But he had received the Report of the Committee so very recently that he had not been able to arrive at any conclusion upon it, and he thought it would be undesirable to go into details at the present moment. Upon the general discussion which had been raised he would only make one or two short observations. He did not at all acknowledge that the Commissariat or Transport Service in the late Egyptian Expedition had broken down. No doubt, as he had before acknowledged, now and then difficulties did spring up, and some faults and defects might have been disclosed; but to say that there had been anything like a general break down was an entire exaggeration, and an assertion which he was desirous of contradicting. But as there would be another opportunity, upon the Medical Vote, of discussing the question, it was not desirable that he should enter into it now. A great deal had been said about the badness of the flour which had been purchased, and it had been asserted that that circumstance ought to condemn the present arrangements for the supply of food. Now, in the first place, he denied that the flour had failed. The evidence showed that the flour was not absolutely bad, and one officer stated that the bread made of the flour, although not as good as it might have been, was, nevertheless, perfectly eatable, and that he had himself eaten much worse bread. But, admitting that the flour had failed, it was said that that fact was owing to its having been purchased by the Director of Supplies and Transports, and not by the Commissariat Department. As a matter of fact, he believed that it was purchased in the usual manner, and that flour of exactly the same description in anticipation of operations in South Africa was purchased for Zululand at Malta and sent to Natal. There was nothing whatever to show that, by whatever Department of the War Office the flour had been purchased, exactly the same results would not have followed. What had occurred could not have been foreseen, and must have occurred under any circumstances. Then, a great deal had been said about the alleged failure of transport at Ismailia. Now, he was informed that there was an adequate supply of transport; but the general transport was not landed until after the main body of the troops had arrived, and before it could be landed the troops were marched forward, and, no doubt, suffered hardships for the moment. But he must point out to the Committee the totally exceptional character of the operations carried on by Lord Wolseley. In ordinary circumstances it would not have mattered to Lord Wolseley whether he waited one or two days, or a week, or a fortnight, until he had time to land all his transports and all his supplies, and thoroughly to organize his Transport Corps. But it must be borne in mind that in this particular case time was the essence of the operation, and most vital to its success. Lord Wolseley, therefore, determined at once to seize a considerable length of the Canal, although, in doing so, he knew he was acting, to a great extent, independently and in advance of his supplies, and that his troops must be put to a certain amount of temporary inconvenience and temporary hardship. It did not follow that because Lord Wolseley was compelled to act in advance of his transport and in advance of his supplies, that was due to the want of the proper organization of those Departments. Lord Wolseley would, he thought, be the first to justify, for military reasons, what took place. His hon. Friend the Surveyor General of the Ordnance had said that the present Government were not specially responsible for the particular form of the organization of this Department. The Department had undergone very great changes during the 16 years which had elapsed since he (the Marquess of Hartington) became first connected with the War Office; and the House would not, perhaps, be surprised if he was not in a hurry to embark in any fresh changes in relation to the Supplies or the Transport Department. But he acknowledged that it was the duty of the War Office to watch carefully the results of every campaign, large or small, which the country was called upon to undertake. His hon. Friend had stated that there had, in recent years, been three small wars which this country had had to conduct; and, substantially, the experience of the Egyptian Campaign had not yet been thoroughly sifted and considered. It would, however, be their duty, as soon as they had a little more leisure, thoroughly to examine into the experience which had been gained as to the working of the Transport and Supply Departments, and the control and command of those Departments. With that view it was possible that it might be necessary to appoint a small Committee for the purpose of examining the evidence which could be obtained, and to see what improvements were necessary; but he did not think it would be requisite to have a large Committee. No doubt, if changes were found desirable, they would be carried out; but, at all events, he thought it would be premature to alter at once, and without further consideration, the existing system, and until full opportunity had been afforded to prove that it had in any essential degree broken down.

DR. CAMERON said, it appeared to him that the discussion which had taken place on the Front Benches upon this subject had assumed the character of white-washing, pure and simple. None of his charges had been answered. What he protested against was that the system that was practised, and carried on in a time of peace, was overthrown the moment a war broke out. When they were most dependent upon the experience and skill in purchasing possessed by their officers they required the auditor to act as his own auditor in a time of war; and, in point of fact, what they established was simply a self-contained Department. That was, undoubtedly, wrong financially; but a more serious matter was that they dispensed, at the very time they wanted them most, with the services of those for whom, during a time of peace, they paid so dearly. His hon. Friend the Surveyor General of the Ordnance appeared to treat his charges as if they were not correct. The noble Marquess the Secretary of State for War had commented upon the flour. Now, what occurred about the flour was this. There were three consignments of flour. The first was so bad that it was reported by Lord Wolseley to have been unfit for food, and some of the medical officers who gave evidence before the Royal Commission spoke of it as being productive of disease. The second consignment could not be got at for some days after the search for it commenced. To make matters worse, this bad flour had to be made up by bad bakers. They had bakers connected with the regimental establishments, but they had never practised baking in the open; and, consequently, matters were made worse by the employment of bad bakers. In regard to the mules, he had not referred to those purchased in Smyrna only, but to the mules purchased in Cyprus and Syria; and he asserted, as a fact, which could not be contradicted, that one-half of the mules constituting the most important branch of the Transport Services were landed in such a state that they were not fit for work for some weeks after their arrival. The same thing occurred with the saddles. The saddles which were bought in the East were useless, and had to be thrown aside. Then, again, the goods sent out were improperly packed; the siege train did not arrive until too late; the iron huts ordered for Egypt did not reach there until November. He could multiply these charges to any extent; but he would ask his hon. Friend the Surveyor General of the Ordnance to inquire of the Commissariat officers themselves; and, if he wanted a candid opinion, let him go among the retired Commissariat officers. He had very little doubt that they would tell the hon. Gentleman that the Commissariat Department was in a worse state than it had been in during any previous campaign, and that it was going from bad to worse. When experienced officers retired, there were no properly-trained officers to take their places. As there had been no answer to the charges he had made, and as the gravity of this state of things was fully admitted, he felt very much inclined to emphasize his scruples by dividing the Committee, and by moving to reduce the Vote by £200,000, that being the amount for the Commissariat. He thought, if they were to have a Commissariat at all, they should have an effective Commissariat. It would be much better to have no Commissariat at all than to have one in such a bad condition, and concerning which the military authorities held out nothing even in the shape of a moderate prospect of reform.

Lord EUSTACE CECIL said, that, whilst it was incumbent upon the military authorities to take care that mistakes, similar in character to those made recently, did not occur again, it should be remembered that the Commissariat system, as a whole, was upon its trial. He thought that some of the shortcomings that had been put down to the Commissariat branch might, perhaps, more fairly be attributed to the hurried arrangements made in this country. He trusted the hon. Member for Glasgow (Dr. Cameron) would be satisfied with the discussion that had taken place, without dividing the Committee on the Vote.

General Sir GEORGE BALFOUR also appealed to the hon. Member for Glasgow not to divide on this item. The Committee was in a very thin House, and the Government would be strongly supported by Members who had not heard the case as so well set forth by the hon. Member. He believed that, considering the short time allowed for getting ready the Transport and Commissariat supplies at Ismailia, and the urgent necessity for Lord Wolseley to make a movement to the front before preparations had been made by the Departments, that the Commissariat and Ordnance had acquitted themselves exceedingly well. At all events, the first and foremost consideration was to wait till Lord Wolseley had reported on the arrangements he made for enabling these two Departments to be in readiness at the new base of operations, which was so secretly, and, on the whole, so well established.

SIR WALTER B. BARTTELOT ventured to add his appeal in favour of the withdrawal of the Amendment. He had one question to ask the noble Marquess the Secretary of State for War—namely, Were any deductions to be made in connection with the Police for this service, which were not included in the present Estimate?

THE MARQUESS OF HARTINGTON said, a short time ago a reduction had been made in respect of the Police of £2,270.

DR. CAMERON said, after the discussion that had taken place, and the appeals made to him, he should not divide the Committee on the Vote.

GENERAL SIR GEORGE BALFOUR pointed out certain discrepancies between the original Estimate for 1881-2 and the Appropriation Account, which should be inquired into.

SIR ARTHUR HAYTER said, he thought the hon. and gallant Gentleman (Sir George Balfour) would find, on closer examination, that the difference he had alluded to was apparent only, and not real.

Vote *agreed to.*

(2.) £3,117,000, Provisions, Forage, &c.

SIR WALTER B. BARTTELOT asked why the cost of provisions was in excess of the Estimate of last year by £105,000? A similar increase also appeared in the charge for forage and fuel, which it was difficult to understand, inasmuch as hay was cheaper. Oats had varied very little, and straw was rather less than it was last year.

MR. BRAND said, the hon. and gallant Baronet (Sir Walter B. Barttelot) would see, on reference to page 16, that the increase of £105,000 was due to the large replacement of men which took place in connection with the Egyptian Campaign. The same explanation applied to the excess in respect of forage.

Vote *agreed to.*

(3.) £784,000, Clothing Establishments, Services, and Supplies.

SIR WALTER B. BARTTELOT said, he hoped the Committee would receive some full explanation from the noble Marquess the Secretary of State for War with regard to any proposal that might be entertained for changing the uniform of the British Army. The noble Marquess had stated, on a former occasion, that no attempt would be made to make any change of the kind until after the discussion of the present Vote. He did not see many supporters of the "dear old red" present on that occasion; but he did hope that there would be many hon. Members, even if they were not soldiers, who would be found ready to stand up for that colour which had been worn by their troops for so many years. They all knew that for a very long period of time their Army had been clothed in red. In looking into some old records he saw that red was the colour of his own regiment, the Royal Dragoons, at the time they were serving in Tangier as long ago as the year 1661. Again, there was no doubt that in the time of Queen Anne that colour was still in use, and he believed that all the troops engaged in the wars of Marlborough fought in red, which colour had been in use from then up to the present time. With these traditions, he asked whether they ought to change that colour? They all knew what the "thin red line" had done in every quarter of the globe. What it had done in India, in the Peninsula, at Waterloo, and at the Alma; in short, throughout the Crimean War, and all the other wars in which this country had been engaged. If his memory was not at fault, he believed that a General Officer, who had served with great distinction in India, was at one time deprived of his chance of getting a command of a Division, because he had not appeared on parade in red, but in kharkee, or in a suit of white. This was recorded against him; and if it were true, that General Officer was punished for not appearing in the very colour they were now asked to abolish. For his own part, he should protest, as strongly as possible, against any alteration of the colour of the national uniform. It must not be said that they were only going to put men in undress into this grey uniform, because they would soon hear from the military authorities that they could not have two sorts of uniform. He was satisfied that, before long, if this change were made, the red would disappear altogether, and nothing would be left but that miserable rabbit colour, or slate colour, which was now worn by the Devonshire Volunteers. What was the case with foreign nations? The Prussians made no change in their uniform, which could be seen twice as far off as the red uniform of our troops. And then they were going to change the colour, because some people thought that with the arms of precision now in use it was dangerous to appear in the old colour. The French Army was dressed in blue and red trousers; but it once happened to a regiment of Chasseurs, that their trousers were changed to blue, and when they went into action, the result was that they were fired upon by their own men. He believed that if the Army were polled, 99 out of every 100 men, as well as the whole country, would raise their voices against any change from the national colour. If it was said that the scarlet was not so good on service as some other colours, he recommended that they should go back to the old dark or Turkey red for the undress uniform, which would be more invisible than the scarlet, and because it did not stain so readily, was, therefore, much more serviceable. For it was, indeed, a most important thing that every General Officer should know his own troops coming up, and the red through a glass, however stained, could always be seen. Such would not be the case with grey. They also had it on the highest authority in the Army that no change of the kind should be made, for His Royal Highness the Duke of Cambridge, presiding at a dinner in the City, had said that he hoped no alteration whatever would take place in the national uniform. They all knew that His Royal Highness was expressing the general sentiment in saying this, and they were glad that he had done so loudly and fearlessly; because in these days of change no one knew what the next day might bring forth. But it was felt that the Army was not in the hands of military authorities. He said it with all respect, that there were civilians at the War Office who were dictating to the Government what should be done with the Army, and military officers felt that they were under the dominion of someone whose object in making these alterations was economy, and not what the requirements of the Service demanded. When he looked upon the Committee which had been appointed, he did not think that the Army had much confidence in it, except so far as one or two names were concerned. To what tests had the red colour been subjected? It was said that it was very conspicuous in the case of large bodies of troops; but did any Member of the Committee recollect the advance of the Prussians at Spicheren, who could be seen from the moment they moved from Saarbrucken? The same remark applied to the Battle of Gravelotte, which was won at last only by the desperate efforts of three or four regiments of Prussian Dragoons. There was no desire on the part of the Prussians to change the national uniform which, with the spiked helmet, was as conspicuous as anything could possibly be. To say that the enemy would not know the position of the Army when large bodies of troops were moving was an absurdity. They knew this by their scouts, who found out the number and size of the battalions on the march. But it might be that, in isolated cases—patrols, pickets, and small bodies of men, for instance—the men were more exposed in red than in some other colours. But it must be remembered that it was the business of men so engaged to keep out of sight; and he ventured to say that as long as the belts, helmets, and other accoutrements were the same as those now worn, the red coat would make no difference whatever. They were now asked to destroy the respect which had existed for that colour, and which for centuries had been the national colour in the British Army; and he could not allow any such change to be made without entering against it his most earnest protest.

Mr. BRAND said, he hoped he should be able to remove, by a very brief statement, the fears which had been expressed by his hon. and gallant Friend with regard to a change in the colour of the Army uniform. In the first place, he thought he had given to a portion of the speech of the noble Marquess the Secretary of State for War, on the introduction of the Army Estimates, a construction which it did not bear. The exact words used by the noble Marquess were—

> "I do not think it at all desirable to force this change upon the Army. The course which we propose to adopt is to issue a certain amount

of clothing of the new colour as an experiment. I have omitted to state that the Committee do not recommend any change to be made in the colour of the full-dress uniform."—(3 *Hansard*, [277] 236-7.)

The question was simply this. The great increase in the range of modern rifles had made it necessary to consider, as far as they could, the question of the safety of their troops. No doubt, when troops were massed together, it made little or no difference whether they were dressed in grey or red uniforms. When, however, they were engaged in picket duty, skirmishing, or similar operations, the case was different; the individual soldier was very much exposed; and, personally, he thought that, under such circumstances, it would be an advantage to place the men in colours that were less conspicuous. His hon. and gallant Friend had introduced into his speech a reference to the recommendation of Lord Bury's Committee on the subject of the uniform of the Volunteers; but he would point out that the recommendation of that Committee was not made because of any superiority as between one colour and another, but simply on the ground of uniformity, as was stated in the Report. But it did so happen that in 1869 the Committee, over which General Lindsay presided, recommended grey, or rifle-green, for the Volunteers, because it was said that scarlet changed colour, and was easily soiled. The position was this—Certain trials were being made with respect to the kharkee colour, in order to arrive at a conclusion as to whether that colour would be best. His hon. and gallant Friend was wrong in thinking that the military officers were over-ridden in this matter by civilians. All he could say was that the Commanding Officers had been asked to try this experiment in their regiments; and he was informed that the proposal had been accepted in the case of 28 regiments unconditionally. That, he thought, showed that Commanding Officers were anxious that the experiment should be tried. There was no intention, at the present time, to deal with the dress of officers. On the grounds he had stated, and seeing that it was not, in any sense, intended to substitute kharkee for the red uniform, he thought that common sense would suggest that the experiment should be made.

LORD EUSTACE CECIL said, he was glad the Government were proceeding in this matter in the manner stated by the hon. Gentleman who had just sat down. There were two points to be considered—one of sentiment, and the other of utility. He had no doubt that there was a deep feeling with regard to the red uniform, not only in the Army, but also in the minds of the people; and anyone acquainted with their military history would know that ever since their troops had worn that colour it had been associated with the greatest victories of this country. He believed that Lord Macaulay said that the red uniform originated with the Dutch Guards of King William. It was associated, no doubt, in the minds of their troops with the victories of Marlborough, and the success that had happily attended their arms ever since. With regard to the question of utility, it had been his good fortune to serve in three or four quarters of the world; and he recollected that when his regiment was fighting the Kaffirs in the bush at the Cape, it was found that the red uniform, which alone was worn by officers and men, got soon soiled, and became, in consequence, very nearly invisible. It was, however, very difficult to lay down any rule as to the relative visibility, or otherwise, of colours, so much depending upon atmospheric and other conditions. He could conceive that in Egypt red would be much more visible than in some other countries. Again, they must not suppose that on service the red coat of the soldier retained that brilliant hue which they were accustomed to see in St. James's Park. There was one advantage possessed by the red uniform—namely, that it did not allow our troops to mistake the enemy for some of themselves; nor, on the other hand, could the enemy mistake our troops. There was some advantage in that, because what had happened in the Crimea was not likely to occur often in the case of our troops—one British regiment would not fire into another, under the impression that it belonged to the enemy. If the troops were dressed in the material now being experimented with, they would be in a colour very much like the Russian grey; and, again, if the atmosphere were thick there would be a resemblance to the bluish grey of the Austrian Army; and, of course, under the circumstances of war with either of those two Powers, an accident might happen that would be very much regretted. These considerations, he thought, were very deserving of the attention of the Government. He was extremely glad to hear that the colour was to be experimented upon, and that they were to have the opinions of Regimental Officers with regard to it. He did not wish to cast any slur upon the constitution of the Committee; but he would remark that, although it had amongst its Members four Staff Officers, he did not see that it included a single Regimental Officer. As he regarded that as a misfortune, he could not help thinking it would be well if the Committee were a little enlarged, so as to comprise one or two Commanding Officers actually in command at the time. He thought, however, his hon. and gallant Friend was in error in supposing that this proposal emanated from civilians. As a matter of fact, having read the Report, he could not find that any civilians were on the Committee at all. It was true that Professor Abel was called upon to give his opinion; but he was not a Member of the Committee. A recommendation had been made that the colour of the belts, havresacks, and ornaments should be changed. The present arrangement gave a great deal of trouble to the soldier; and he thought that umber, although not so pretty in effect, would be much more serviceable. He trusted that whatever change did take place it would only be sanctioned after the greatest consideration.

Captain MAXWELL-HERON said, he was glad to hear that if the change suggested was carried out it would only affect the undress uniform. Three General Officers had sat upon the Committee referred to, and two of them had commanded regiments wearing a green uniform. Lord Wolseley never commanded a regiment at all; therefore they might have little sentiment as regards the red colour. With regard to what the hon. Gentleman (Mr. Brand) had said, it would be injudicious on the part of officers commanding regiments to refuse to accept the experiment, considering the high quarter from which the offer came. He had had experience in India and other parts in regard to the colour of the uniform, and he had never found that red had produced any effects detrimental to the soldier. But unless the shooting of the Army greatly improved, and became more effective than they knew it to have been in Egypt during the late campaign, it would matter little what colour the British soldier was clothed in. He hoped the British Army would always be clothed in the colour in which all their battles had been fought, and their victories won. They were now 12,000 men under their proper strength, and he believed that the colour of the uniform had great influence in attracting recruits; and he was certain that if the Army was dressed in grey, or green, they would not be able to get recruits until they increased the rate of pay.

Sir HENRY FLETCHER said, he had had 30 years' experience in the Army of different coloured uniforms. His objection to even the undress uniform of the Army being grey was this—there were two shades of grey, and it was very difficult to get the shades to agree year after year. When he first joined the Army, 31 years ago, the soldiers wore trousers of a grey mixture with red coats; and even in the present day, in the Infantry of the Line, the same difficulty was largely experienced. After the Crimean War that grey mixture was given up, because of this difficulty; and he still adhered to red as the colour of the uniform of the English Army, and would do his utmost to retain that colour for the fighting dress. If the authorities decided that grey was to be the undress uniform of the Army, he would urge that it should be simply undress for fatigue duty and in barracks; but that when the men were out of barracks, or away from the country, they should be allowed to wear the uniform as full dress, for he was certain that the proposed change in colour would be very detrimental to the recruiting for the Army. He felt certain that the reason why recruiting was at the present moment at such a low point was due to the fact that men were parading the streets and the country in grey uniforms. If grey was generally adopted, there would still be further difficulty in obtaining recruits. He happened to be acquainted with the uniform of the 3rd Devon Volunteers, and he was satisfied that that colour would not be altogether serviceable for Her Majesty's Army. It was either too dark or too light; and if it was decided that that should be the colour for the future, he hoped the authorities would take into consideration the advice he had offered as one who had had 30 years' experience, and make the grey uniform only undress uniform.

COLONEL ALEXANDER said, there were few military subjects in which he did not entirely concur with the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot), and it was therefore with great regret that he found himself compelled to differ from the hon. and gallant Member, to a certain extent, upon this important subject. That regret was the more profound, because, so far as sentiment was concerned, his feelings were entirely in unison with those of the hon. and gallant Member. He admitted that it would be a rude wrench to break with the traditions of so many hundreds of years, and to suddenly give up the familiar scarlet of our uniform which was associated with so many glorious recollections. It was quite impossible to ignore sentiment upon this question; and he was quite prepared to acknowledge that the success or failure of their recruiting would depend, to a great extent, on the retention or discontinuance of the present colour. But, while giving the fullest weight to sentimental considerations, he felt that there was something even higher than sentiment, and that was the paramount necessity of economizing, by every means in their power, the valuable lives of the soldiers composing their small, but very expensive Army. Last year he should have hesitated a great deal before consenting to the discontinuance; but he had reluctantly come to the conclusion that, in the face of the Report of this Committee, there was no alternative but to adopt their suggestion. Coming, as it did, from three very eminent Generals, assisted by the highest scientific knowledge, it appeared to him that the Report of the Committee was absolutely conclusive. The experiments of that Committee were conducted under varying conditions of weather, atmosphere, surroundings, and back grounds, the object being to make the experiments as exhaustive as possible. Experiments were made on six days; three in winter, one in spring, and two in the summer, and the result was to eliminate all the colours now used in the dress of the British Army. The conspicuousness of white or red was demonstrated, and it was shown also that the brickdust uniform was only a shade better than the present scarlet. It must have caused that distinguished rifleman, General Hawley, a severe pang to be obliged to condemn the scarlet of their Infantry and the blue of their Artillery, as well as the green of the Rifle Brigade and 60th Rifles, and, without hesitation, recommend that the uniform of the 3rd Devon Volunteers should be adopted as the service dress of the British Army. He had no doubt that the Committee came to that decision very reluctantly; but the Report was unanimous. He was extremely glad to find that the Committee, deeming it inadvisable to break with the glorious traditions of the British Army, so far as colour was concerned, recommended the retention for full dress uniform of the present colours; and he sincerely hoped hoped those colours might not be discontinued, for he was fully convinced that a neat and attractive uniform was of great importance in obtaining a steady and continuous supply of recruits. It had been said that this proposal was only the thin end of the wedge, and was a preliminary to the entire abandonment of the present uniform; but he really could not understand why that should be the case. At the present moment, the Guards and the Highlanders had an undress uniform different in colour from the full-dress uniform. Last year, when the Guards went to Egypt they left their bearskins behind them; and no one would, he supposed, propose that for that reason the bearskins should be discontinued. The service uniform should differ in shape as well as in colour from the undress, for the latter should be looser than the former. He hoped never to see the day when the Guards would go on any sentry duty in London in Norfolk jackets. Such an idea was altogether most incongruous, and not in accord with their conceptions of smartness of a soldier; but he could not see how there was any more reason why a soldier should wear full-dress uniform on service than for hon. Members of that House when in the country to dress as they did in London. His own idea was, that the best way to partially retain the present uniform was to adopt the suggestions of the Committee, and he did not see what was the use of appointing a Committee at all if, when they reported unanimously, their recommendations received no attention. The Government would incur grave responsirejecting the recommendations Committee, backed as they were an overwhelming weight of pro- al as well as scientific authority.

HENRY FLETCHER said, he to draw attention to the question rn-out clothing, which was dealt by paragraph 146 of the Regu- s. That paragraph required that ng which had been worn for a except such as was required to be ned for the use of recruits, should aken into regimental stores; and er paragraph 147 a soldier who did return his clothing to the stores r the expiration of the period for ich it was issued would render him- f liable to be tried by court martial making away with the clothes. He d been given to understand that ese paragraphs were very objectionable ndeed to the Army in general, and specially to recruits. The soldier at he end of 12 months was obliged to hand into the store the clothing he had worn during that period, and it then became public property. After that, it was passed over to a recruit as the uniform in which he was to go through his preliminary drills. It was said that the education of the Army was now considerably improved, and that the recruits were of better quality and better education than they had been for many years past. He was informed that these recruits, with this supposed improved education, were very much disappointed and disgusted at having handed over to them for their preliminary drill the garments which had been worn by some other men for 12 months. Besides that objection, this was a matter which involved a great deal of extra trouble to the Quartermaster of the regiment in preparing returns, and looking after all this clothing. This duty was very distasteful to officers of that position. Then, again, some of the clothing issued to recruits was returned to stores by men who had been discharged, and some men returned the clothes in a far cleaner state than others. But, however that might be, it was, he thought, very objectionable that recruits should have to wear old clothing after other men had been wearing it for 12 months. Then there was no doubt, he thought, that the soldier would very much prefer at the end of 12 months to purchase his old and comfortable clothing; and he wished to urge the Surveyor General of Ordnance to consider whether it would not be possible to revise these two paragraphs. He believed that this present system had prevented a good many respectable and serviceable men joining the Army.

Mr. BRAND said, the adoption of the principle that the clothing was the property of the State was recommended, in the first instance, by the present Quartermaster General, and, subsequently, approved of by the right hon. and gallant Gentleman opposite (Colonel Stanley). The hon. Member (Sir Henry Fletcher) had done good service in calling attention to this point, which had, in fact, already engaged the attention of the Secretary of State for War; but there was a misapprehension on this point. Any time-expired articles might be retained for an additional period if the Commanding Officer thought there was any necessity for such retention; and it was further provided that if articles of clothing, not time-expired, were returned to the stores damaged through wilfulness, the necessary repairs would be carried out at the expense of the soldier; but that if they were returned in good condition no charge would be made upon the soldier. Proposals were now being considered for giving to recruits a serge uniform for the purpose of preliminary drill.

Colonel STANLEY said, he was glad to learn that the clothing of soldiers was still to be regarded as the property of the State. There was a twofold object in the adoption of that principle. One was to save the articles which were previously wasted; and the other, and more important, object was to take away any excuse from those who dealt in old clothes, and who, unfortunately, were sometimes only too ready to facilitate desertion in order to get hold of the clothes. If the clothes were declared to be the property of the State the soldier had no right to dispose of them, and in that way a great blow was struck at people who were willing to make bargains with soldiers for their clothes. That was a matter which should be looked on, perhaps, a little in the light of sentiment, as well as by the consideration of how much further wear there would be in the clothes. He had no doubt that soldiers would be very glad to purchase some of the old uniforms at a low price; but many of the things which were sent back to the stores were in such a condition that they ought to be destroyed, and he hoped that consideration would not be lost sight of.

Vote *agreed to.*

(4.) Motion made, and Question proposed,

> "That a sum, not exceeding £1,269,500, be granted to Her Majesty, to defray the Charge for the Supply, Manufacture, and Repair of Warlike and other Stores (including Establishments of Manufacturing Departments), which will come in course of payment during the year ending on the 31st day of March 1884."

SIR HENRY HOLLAND desired to bring under the notice of the Committee a matter of some importance which came before the Public Accounts Committee of this year upon Vote 12, when they were considering the Appropriation Account for 1881-2. There was a net deficit upon the Army Vote for that year of £44,197, and it became the duty of the Committee to examine into the reasons why that deficit occurred, and whether it might not have been avoided. In the first place, the Committee had to inquire whether the Department were to blame in not having brought forward a larger original Estimate. They found, however, in this case, as he was bound to say they had found in most other cases, that the Department were not in fault upon this point. They had then, in the second place, to consider whether a Supplemental Estimate should not have been presented, so as to avoid the deficit. It was quite clear that if a Department had any reason to think that there might be a deficit, they were bound to apply for a Supplemental Estimate; because in this way Parliament had practically a better opportunity of examining into the expenditure of the Department than it had after a deficit had been incurred. Now, an inquiry whether a Supplemental Estimate should not have been presented was simple enough in the case of the Civil Service Departments, and for this reason—that those Departments were quite separate from each other, and any deficit upon one Vote could not be met by any surplus that might arise upon any other Vote. For example, a deficit on the Irish Education Vote could not be covered by a surplus upon the English Education Vote. But the case was quite different with the great spending Departments of the War Office and Admiralty. In those Departments the savings or surplus upon one Vote might be applied, with the consent of the Treasury, to cover the deficit or excess expenditure upon another Vote. Thus savings on the Stores Vote might be applied to meet a deficit on the Works Vote, and so on. When, therefore, the Public Accounts Committee inquired into the cause of the deficit of £44,197, and why a Supplemental Estimate was not taken, they were met by the reply that the Department had expected that the deficit would have been covered by surpluses upon other Votes. The attention of the Committee was then directed to Vote 12, when a remarkable state of things was disclosed, showing that there was a defective system of accounting at the War Office. He would venture to read to the Committee a few paragraphs of the Report of the Public Accounts Committee, in which the point was shortly stated, and in which suggestions were made for an improvement of that system. They report that—

> "Your Committee were surprised to learn that in addition to these general difficulties in the way of making an accurate calculation of the expenditure, a deficit of £70,000, or thereabouts, was incurred in the Store Vote, upon which Vote it was believed, apparently up to January 1882, that there would have been a surplus, or at all events that there would have been no deficit. This Department is especially under the control of the Office for the larger portion of its expenditure. The Accountant General could give no satisfactory explanation upon the matter, and the officer who had the charge of the expenditure at the time has left the office.
>
> "It appears to your Committee that if proper steps had been taken for the purpose, there should have been sufficient information in January 1882 to have enabled the Department to make out a sufficiently accurate estimate of the probable expenditure and wants of the Department for the financial year.
>
> "In truth, the only defence put forward by the Department is that it was believed, as late as January 1882, that the surpluses on the whole accounts would be sufficient to cover the deficits.
>
> "Your Committee consider that the chances of such miscalculations being made would be, if not altogether removed, yet very much diminished, if a better system of rendering accounts prevailed in the War Office. They would suggest that the accounts should be kept closer up, and rendered at least quarterly, which they are informed was formerly the practice in the Office.
>
> "The course pursued in the Office with a view to ascertain the financial position of things, and to judge whether Supplementary Estimates will be needed, is fully explained by the Accountant General in his evidence. The state-

ment that has been made out in the Department for the first half year is looked to mainly as a guide as to whether the expenditure is going on at the ordinary rate or not. This information is supplemented by general inquiries of the heads of the Departments whether they think that there is anything likely to arise which will cause a disturbance in the expenditure of their several Departments. Upon that half-yearly statement, and upon those replies, which, it is stated, are general and not in figures, a conclusion is arrived at whether money should be asked for.

"Your Committee suggest that these inquiries from the heads of the Department and the replies should be more definite; that they should be in writing; and that they should be placed on record."

He wished to know whether effect would be given to these suggestions of the Public Accounts Committee, as it would be seen that the matter was one of considerable importance?

Sir ARTHUR HAYTER said, his hon. Friend the Member for Midhurst had alluded to what was the present practice, and to what he hoped would be the future practice of the War Office in regard to the rendering of accounts. One of the recommendations of the Public Accounts Committee, over which his hon. Friend so ably presided, was that the accounts should be rendered, not *vivâ voce,* but in writing, in order that a more effectual check might be kept over the expenditure of money, and that the Public Accounts Committee might be able to see how the account itself was being kept. He was able to assure his hon. Friend that the Department saw no difficulty whatever in rendering these accounts in writing, instead of *vivâ voce,* as at present, so that there would both be a record in the Office, and the Public Accounts Committee would be able to have recourse to it. As to the second, the more important point that his hon. Friend had alluded to — namely, the desirability of preparing Supplementary Estimates where there was a deficit, it would be impossible, in the present instance, to state how much was wanted while the war was going on—that was to say, it would have been difficult to tell how much money was wanted within the time at which it would be necessary to give this information. But it was possible to make an estimate within, say, 1 per cent of the total amount; and in the particular case referred to, though it was true that there was a deficiency of £73,000 in spite of its having been believed, up to January, there would be a surplus, that was to be accounted for by the fact that a war was taking place in a distant country, and the accounts were not rendered so early as they otherwise would have been. The Accountant General had, with him, gone through these matters very carefully; and they thought they saw their way to returning to what was the former practice in the War Office—and that was the point which the hon. Member had specially alluded to—namely, of rendering the accounts, as far as possible, quarterly instead of half-yearly. He could not say, in the event of such wars as that in South Africa again taking place, that the Department of the War Office would always be assured of receiving these items in time to make up the quarterly account; but there was every inclination on the part of the Office to shorten the time over which the accounts extended, and the Accountant General had arranged with him for a return to the former practice, whenever possible, of rendering accounts quarterly, instead of half-yearly, from all branches of the Service under the Finance Department.

Lord EUSTACE CECIL said, he was sorry to see, during the discussion of such a Vote as this for a sum of £1,269,500, such empty Benches in the Committee. He could recollect, on former Army Estimates, that when the Vote for guns and small arms, and so forth, came on, the Committee was far more crowded than it was at present. He, of course, trusted that they had now got into the "piping times of peace," and that they would not in a hurry have to go to war again. He could not, however, take the view that because they were at peace that, therefore, hon. Members should do nothing, and not seek to inform their minds as to the condition of the Service. He should like to say something, first of all, with regard to the Ordnance Committee. This Committee was instituted by the right hon. Gentleman the present Chancellor of the Exchequer (Mr. Childers), some two or three years ago. That Committee was established in consequence of the alarm that was felt at the difficulties experienced by the Heads of the Artillery and Engineering Department, in carrying out all the various arrangements as to the manufacture of guns, so as to supply, not only the Military Department, but also the Navy. It was felt that there should be an Ordnance Committee, or some authority of that kind, to whom reference should be made. To his mind, it was a great question whether it would not have been better to adhere to the old system. He knew that there was considerable trouble, and he was aware of what the officials at the War Office, especially the Director of Artillery, had to go through, and he knew that an increased responsibility was more or less thrown upon the Secretary of State; but considering what had happened, and that it was two years or more since the Ordnance Committee had been appointed, he must say they had seen very little result indeed from its labours. The Committee was appointed to consider whether any change was necessary in the system of ordnance. It was admitted that in consequence of the vast improvements in powder, especially in pebble powder, it would be absolutely necessary, under any circumstances, to adopt breech-loading guns, especially in the case of the Navy. He could not for the life of him understand why such an enormous delay had taken place on the part of the Ordnance Committee in making known their views, seeing that it might be laid down as a premiss that they must adopt the breech-loading system. The Gentlemen upon the Committee were all men of great experience, and of skill as experts, and they had the advantage of hearing all that was to be said—and there was a great deal to be said—by Members of both Professions of that House. These Gentlemen had all had experience for several years past of the War Office system, and they had, which was the strongest consideration of all, the knowledge that the Navy at the present moment was certainly not very far superior in guns to that of any Marine Power, and that it was absolutely necessary that they should have the best possible gun in the world in the shortest possible time. That matter, he believed, was touched upon in the Naval Estimates, and he trusted it would not be lost sight of, but that it would be strenuously kept before the notice of the Government. That might lead to their discovering whose fault it was that they had not got on faster. He believed that the 43-ton gun was the one decided upon; but, so far as he knew, none of Her Majesty's ships at that moment were thoroughly armed with this weapon. He believed they would hear more about this matter, however. Well, that was a point upon which he particularly wished to question the Government—as to what progress they were making with the heavy ordnance, and when they could expect to have the pattern of guns finally approved of, and what orders were still outstanding for naval armaments? Then they came to the military question, and it was impossible for him to say, of course, what progress had been made in this respect. When the Conservative Government left Office, in 1880-1, by the following March it was calculated that there should be, at least, four heavy 100-ton guns in position at the various fortresses for which they were intended. Probably they had all been put in position; but he was not quite certain about it. Then, as to 80-ton guns, at that time there were only two. There was a question as to whether there should be any further manufacture of these guns, and that question entirely depended on the Committee. As to field artillery, when the Conservatives left Office, there were completed on the 31st of March, 1881, 579 guns, and there was a siege train of heavy and light guns. Of course, what one would be glad to ask was, whether these field batteries had been kept up to their old strength, and whether breach-loading guns had been substituted in some cases in the batteries? He knew there was a considerable difference of opinion on the subject; but his opinion was at that time that the muzzle-loading guns did very well, and that before getting rid of them they should adopt the best pattern of breech-loader. However, there was a growing feeling in the House in favour of breach-loaders; and if field batteries were to be revised and re-manufactured in the shape of breach-loaders, it was surely only fair for him to ask what progress had been made in that respect? There was a Committee appointed—one of the hundred Committees at the War Office he was sorry to say—to inquire into the question of machine guns. That question was a very important one to the Navy, and it was also a very important one for the Army. He was glad that they were waiting to obtain the experience of the Americans, No doubt this experience had been obtained, and he should hope that the Committee had not followed the example of the Ordnance Committee, but had arrived at some result, and were in a position to order machine guns for the Navy in such proportion as to make it at least equal to France or Germany. Another gun had been referred to this Committee—namely, the magazine gun. A great deal had been said about these weapons; but when the Conservative Government left Office the question was entirely in embryo. There was a good deal of difference of opinion with regard to these guns, many people doubting whether such complicated pieces of mechanism would ever be useful in time of war; but, at the same time, its rapidity of fire was considered a great point, and there could be no question that in the hands of an expert and skilled marksman it would do a great deal of damage. There might be some Report from the War Office—if there was he had never heard of it—as to the result of the inquiries and experiments in regard to magazine guns. These were all important matters, particularly as far as the House of Commons was concerned, because, sooner or later, he feared they would involve an enormous expenditure. These were questions of Ways and Means, and it was for the Executive to decide how these guns were to be introduced, and in what proportion, having due regard to the state of preparation and efficiency which Foreign Powers were in in this matter. It was only the Executive that could decide on these questions, and they in the House of Commons were more or less obliged to follow the lead of the Executive. Considering the present Government had now been three years in Office they had surely had sufficient time to consider all these matters; and looking at the amount of information they had obtained, and the excellent advice they had received from authorities on those abstruse and difficult questions, they should be able by this time to give the House to understand what progress they had made, and what progress they were likely to make. A great deal had been said as to the quantity of stores consumed in Egypt, and a great many people believed that their reserves of stores must have suffered very materially. Many people were of opinion that, the cost of the war having been only some £4,500,000, it was remarkably economical; in fact, they could not for the life of them understand how it had been done. An idea had got abroad that the reserves of stores had been largely drawn upon. Without making that charge against the Government, he should like very much to know what was the amount of stores left behind by the late Government? He could only say that he should sincerely rejoice to find that everything had been kept up as the late Government had left it. They had the advantage—an advantage he did not at all despise—of taking a considerable sum of money in 1878 for both the Army and the Navy, and they made the best use they could of it by putting the reserve stores in the best possible position. On the 31st of March, 1880, they had something like 503,000 Martini-Henry rifles, of which 212,000 had been issued to the troops and Reserve Forces, and there were in store some 290,000. Of carbines they had issued 32,000 to the troops, and they had in store 19,000, making altogether 51,000. As to ammunition for small arms, it was laid down that the proper amount they should have should be at least 60,000,000 rounds; and it would be very satisfactory to know now that they had that quantity in store to use in case of emergency. Again, as to powder, he did not know—he did not suppose anyone knew—whether they had yet reached the end of invention in this respect. Powder had been steadily improving for some years, and they had now got to pebble powder, which gave, he believed, the greatest amount of force with the least amount of damage to the gun. That, as he had said before, had entailed upon them a fresh expense, as it was absolutely necessary, considering the slow burning properties of this powder, that they should go from muzzle-loaders to breech-loaders. When the late Government left Office they had in store of this powder 312,000 barrels, of which 130,000 were "P 2" pebble powder. He need not tell the Committee that of the 312,000 barrels, 130,000 barrels of the "P 2" were of the most efficient kind; because the "L G and L" powder was, after all, a powder that was only useful for salutes, although it could be used in case of emergency; it was not powder they would think of using in connection with the new and powerful guns they were manufacturing at the present moment, except under great emergency. And, amongst other stores, the late Government had left behind them 380 tons of gun-cotton. They had left also 431 Whitehead torpedoes, 336 meant to be used for naval armament. They left behind also a fair amount of camp equipage, of saddlery, and other stores. He mentioned all these things because they were now in time of peace, and he did not think there would be much danger in the Government stating the quantities of these things they had in store. It would be very satisfactory to learn that they had a large amount of stores. The subject would be discussed again and again in that House in future years. The Estimates were, to a certain extent, larger than they had been since the Crimean War, in consequence of the progress in science and gunnery. The Estimates were large, and were growing larger and larger every year. And they knew very well what the noble Marquess (the Marquess of Hartington) had said the other day as to the terms to be offered to recruits; and they were all anxious that the best article should be obtained. All matters of this kind must increase the expense of the Department. He was not at all an economist in the way of wishing to cut down expenditure where expenditure was absolutely necessary for the efficiency of the Service; but, at the same time, he thought that great care, caution, and prudence should be exercised in the introduction of anything new, and he was anxious that what was done should be done gradually; because everything new meant greater expenditure. It was very difficult to say what course should be adopted to put an end to these difficulties with regard to the Navy; but he thought it was impossible for one moment to wish that the Navy should have an Arsenal of its own. Persons who advocated that could have very little idea of the enormous cost of such an undertaking, not only with regard to the first cost of arms, but also with regard to the manufacture of different patterns. Those who were familiar with the matter well knew that changes of pattern were always going on both in the machinery and carriages of guns; many thousands of pounds, he believed, were constantly being spent in alterations, and he could not help thinking that there should be some strong central authority able to control the naval demands in that respect. He believed that the time would come when that House would endeavour to reduce this constantly increasing expenditure. When they considered the numerical strength of their Army, and compared its cost with that of the Armies of Foreign Powers, and when they compared the cost of their ships with that of foreign ships, however proud they might be of them, there could be no question that they did not manufacture as cheaply as some of their neighbours. He thought it right to call attention to these subjects, and he regarded it as most useful that there should be a discussion on this Vote. His hon. Friend opposite (Mr. Brand), who took the greatest pains in this matter, would, doubtless, be of his opinion that it too frequently happened that these Votes were brought in at the end of the Session, when there was no opportunity of discussion, when few persons knew whether they were armed or unarmed, or whether they received value for the money spent or not. He hoped to get a reply, before the discussion terminated, on the questions he had felt it his duty to raise.

MR. MUNTZ said, he had no wish whatever to delay the Vote. When he looked at the amounts asked for, he felt it perfectly useless to attempt to do any good by criticizing them; but he wished to enter his protest against the constant increase in the expense of the Establishment, which, to his knowledge, had gone on, year after year, to such an extent, that it was impossible to know what it would result in. When the first proposal was made with reference to the Establishment, it was stated that the annual cost would not exceed £35,000; but the Vote now asked for was £647,000, or £53,000 in excess of the amount for last year. It would seem that these Establishments were a sort of milch cow, to provide places and jobs for those who were employed in them. He never could get any accounts except from two officers who were employed apparently to do little or nothing. What they required was a debit and credit account for the whole of these Establishments. In making up that statement, there should be a charge for interest on capital at 4 per cent. Then there should be an account of stock taken, as was done in every commercial business, showing what had been consumed, what had been manufactured, and what remained over at the end of the year. When that was done, then only would they be able to see what was the cost of these Establishments to the country. But all they could get now was a long rambling statement, which he was satisfied no accountant could make head or tail of. He felt it his duty to make these remarks, although he was addressing them to empty Benches; but he would not delay the Vote for a moment longer.

Colonel NOLAN said, he thought the hon. Member for Birmingham (Mr. Muntz) was mistaken with regard to the accounts. A statement was published every year showing exactly what had been spent in each of the different Offices. He had always looked upon it as a great difficulty, in reference to manufacturing establishments, that they had a tendency to reduce the expenditure in their accounts on all staple articles which they wished to show were produced cheaper by them as compared with the trade. Then they were apt to put the small articles in which the trade could not compete with them at as high a cost as possible. He did not think the hon. Member was right in thinking that the appointments were in the nature of sinecures; because many persons employed in the Establishments had to work very hard and give great attention to the work required of them; and he believed that many of them would, upon examination, show a very fair amount of manufacturing knowledge. He was himself in favour of these Establishments, because, if they did not exist, the Secretary of State for War would be completely in the hands of private manufacturers. The men employed under the existing system acquired technical skill, and the Secretary of State for War had always a staff of officers to advise him. It was, of course, quite possible that the system might be pushed too far; but he thought it a mistake to suppose that they could ever do without manufacturing establishments for the Army and Navy altogether. Again, they might be reduced; but he repeated that it was impossible to abolish them entirely. The tendency of private establishments would be, no doubt, to manufacture as cheaply as possible; while the tendency in the case of a Public Department was to manufacture extremely well without regard to expense.

General Sir GEORGE BALFOUR said, he could not allow the misconception of his hon. and gallant Friend the Member for Galway (Colonel Nolan) as to the meaning of the remarks of the hon. Member for Birmingham (Mr. Muntz) to pass without correction. The hon. Member for Birmingham was quite well aware of the existence of the accounts referred to by the hon. and gallant Member for Galway. Indeed, one of the two accounts annually rendered for the Small Arms Factory at Enfield bore the name of the hon. Member for Birmingham. It showed in minute detail the whole of the charges for turning out small arms, by debiting every kind of conceivable charge, even to the portion of charge which was incurred for Divine Service to the Arms Establishment, besides interest on capital, sinking fund, wear and tear, and other items, such as a private manufacturer would have to show in his books. The other Ordnance Departments, for guns, carriages, and laboratory stores had likewise annual accounts. But what his hon. Friend the Member for Birmingham urged was the exclusion of Vote 12 from the Army Estimates, by converting all the funds now shown therein into a separate manufacturing account, whereby all fully completed stores would be shown, and their cost, as well as the quantities and value of the materials at the opening and closing of the year. By this change, the difficulties about supplying naval ordnance and other supplies for the Navy direct from this manufacturing establishment, and paying for the same out of funds provided in the Navy Estimates, would cease. The Army would, in like manner, pay for all supplies out of funds obtained in the Army Estimates. But even without this change, the Navy could pay for its ordnance and stores by means of voted sums. The Clothing Department, although under the War Office, now provided clothing for India, for police and others, and received from the Departments the value of the supplies, as shown in the Estimates. The continuance of the bad practice for the Navy in obtaining guns, projectiles, and gunpowder free of cost to the Navy, but at the charge of the Army, should be terminated. It was the cause of great waste. At present the armament of the Navy was again under change, and was the fifth within the past 25 years. Now, this new armament could not be made up of fewer than 3,000 pieces of various calibres, and the capital representing this complete armament might be valued at £4,000,000; and all this large amount must, under the existing bad practice, fall on the charges for the Army, thereby largely swelling the cost of this branch of the Service. At this rate, the five changes in the armaments within 25 years must have swelled the expenses of the Army by from £15,000,000 to £20,000,000. The evil was still greater, for by making the Naval officers depend on the Army for the guns of the Fleet, it not only engendered carelessness in the way of arming the vessels, but, what was a great evil, the scientific questions involved in the description of gun and projectile most fit for naval service were not properly considered by naval officers. No doubt, the Navy Estimates now bore the cost of foreign ship transport of the Army. This practice was equally objectionable, as the money needed for providing transports ought to be voted in the Army Estimates and paid over to the Transport Department, which hired the transports. Looking at the long delay in arming the Fleet, and the urgent necessity for having their first line of defence in the most effective state, he would earnestly advise a special loan of £4,000,000 to be raised, and employed to pay for the guns, projectiles, and gunpowder immediately the stores were available. The loan might be paid off in six or seven years, by an annuity which would appear in the Estimates of the Navy. There was one point to which attention had already been drawn, and that was the large excess on Vote 12 of the Army Charges in the Accounts of 1881-2. The excess of expenditure would have been far larger but for the mistake in the appropriation in aid, which turned out to have been far in excess of the estimated amount. There was no excuse for any excess in the expenditure of Vote 12. A Liability Book of all orders for purchases of stores would effectually protect the Departments which controlled Vote 12 from any excess, and it was to be hoped that in future the excess would be guarded against.

SIR HENRY FLETCHER also was of opinion that it was very desirable that the supply of naval guns should be taken out of the Army Estimates. They were now spending on the Army a considerable sum of money in connection with the Navy; and, looking at the state of the Army at the present moment, he thought that money which was now voted in the Army Estimates for naval guns should be devoted to raising a further number of men in the Army. There was no doubt that to carry out the territorial system in a proper manner a very large number in excess of those at present would be required; and he hoped the Government would seriously consider the advisability of doing away with this Navy Vote in the Army Estimates, so as to obtain an additional £600,000 for the use of the Army.

MR. MACFARLANE wished to call attention to the case of the inventor of the guns in use in the Navy.

THE CHAIRMAN: The hon. Member must not avail himself of this opportunity to call attention to the grievances of any inventor. This is a Vote simply for ordnance and other warlike stores.

MR. MACFARLANE asked whether, if he moved to reduce the Vote, he would be in Order in calling attention to this matter?

THE CHAIRMAN: The hon. Member would be in Order in moving to reduce the Vote; but not in discussing the grievances of an inventor.

SIR WALTER B. BARTTELOT said, he was glad to find that the noble Marquess the Secretary of State for War agreed with the recommendation of the Public Accounts Committee. He had been rather surprised to find that the Vote had been under-estimated; and, therefore, he thought the noble Marquess had done well in accepting these recommendations, because he thought that, with careful supervision, such a mistake could not possibly recur. With regard to the noble Lord's (Lord Eustace Cecil's) question respecting magazine guns and machine guns, if anything in that direction was going on the public and the Committee were perfectly ignorant of any intention on the part of the Government to introduce a new weapon.

LORD EUSTACE CECIL said, the Committee was still sitting.

Sir WALTER B. BARTTELOT said, he was aware of it; but he had not heard that anything was going to be done in the way of introducing new guns this year. If there was any such intention, where were the guns to be made? On this Vote hon. Members had a right to know whether the Committee had any such intention. The Martini-Henry, when first introduced, was not a good weapon, but that it was now a good weapon was generally acknowledged; and, therefore, he should like to hear from the Surveyor General of the Ordnance whether it was the intention of the Government to introduce a new arm? If so, he would ask whether that new weapon was to be made at Enfield, and whether new machinery was to be set up at that place? because, as he was informed, the Government had been offered a most advantageous site in Birmingham. They had a small manufactory at Birmingham already; but it was not equal to their requirements. They were now making all their own arms, just as foreign countries were; but in this country he thought it was advisable that the gun trade should have some share in that manufacture. The Government were quite right to have a manufactory of their own, because they could test the work made elsewhere; but if they manufactured all their guns, and then had to introduce new machinery, it was better that they should set up a new manufactory in Birmingham. He understood that the site and buildings they now had at Birmingham would fetch a very large sum, and that the new site and buildings would only cost the Government one-fourth of its original value; and, by having the manufactory at Birmingham, the Government would keep up the manufacture of military arms of precision, which, he was told, was dying out in that town. He believed the noble Marquess had been pestered to death about this matter; but he did not think it was out of place on a Vote of this kind to state that this site could be obtained, and that if they did not take it they might not have another opportunity of purchasing a site at such a reduced price. He objected to the Government trying to get everything into their own hands. They ought to keep their establishments within reasonable bounds.

Mr. BRAND said, there were two 100-ton guns now at Gibraltar, and one would shortly be sent out to Malta. Of the 80-ton guns, two had been completed; of the inferior artillery guns, 290 had been appropriated to the field batteries at home; and with regard to the machine guns, 967 had been supplied to the Navy. Of those, 275 were of the Gardner pattern; but the majority were Nordenfeldts. The result of experiments carried out by the Admiralty was the selection of the Nordenfeldt guns, and those experiments showed that there would be no difficulty in constructing the machine guns to throw shells as well as solid shot. The question of changing the rifle of the Army had been referred to a Departmental Committee, who were making experiments both with the Martini-Henry and the magazine guns. With respect to stores, he did not think it was advisable to go into much detail; but, generally speaking, the stores were in a good average condition. They were taking this year money for 40,000,000 rounds of small arms ammunition. The stores of small arms were a trifle below the average; but that was owing to the issue of the Martini-Henry to the Militia, and the necessity of not very largely increasing the stores pending the decision of the Committee. He was very glad to have this opportunity of saying a few words generally with reference to this question. It would be found by reference to the Estimates that there was a decrease of £20,000; but that was only apparent. There was a transfer from the Army to the Navy Vote of £113,000 for gun mountings and stores; but, on the other hand, there was a transfer from the Navy to the Army Vote of £10,000, leaving a balance of £103,000. Therefore, if they deducted the sum of £20,000, which was the apparent decrease, from the £103,000 balance, there was a real increase of the Vote by £83,000. This increase was mainly on account of the Naval Service. The three principal items were saltpetre, sulphur, and gunpowder, which together amounted to £40,000; but it was well to mark here that the powder issued to the Navy was not charged to the Navy in the Vote. With reference to the cost of projectiles, the increase in the cost for breech-loading ordnance was very considerable. There was also an increase in the Army Vote of £114,000 for projectiles, and then there was a large increase for wages in the laboratory. There was also an increase on account of ammunition for small arm practice. These various items increased the Vote by £83,000; and, looking to the future, he was sorry to say that he did not think there was any great chance of any large diminution in this Vote. On the contrary, he feared the reverse would take place. With respect to the demands for the issue of Martini-Henry rifles to the Volunteers, and the enormous cost of these breech-loading ordnance for the Navy, it was impossible to suggest that there was any probability of a diminished Vote; but, so far as the Army was concerned, he thought the Committee would agree that the Vote was exceedingly moderate, having regard to all the circumstances. With regard to the production of guns for the Navy, there had been charges made against the Department of delay in respect of those guns. He did not know whether those charges referred so much to the question as between the War Office and private firms, or as between the War Office and the Admiralty; but the policy of the Government had been to encourage private trade as far as possible. It was necessary, some years ago, to establish Government works, because they could not always depend upon private establishments. The Government were able in this way to check the cost of the guns; and he thought, on the whole, the system had resulted in the production of as good guns as, if not better than, those of any other nation in Europe. As to the question between the War Office and the Admiralty, it had been stated that naval opinion was ignored, and that these guns were forced on the Navy; but, as a matter of fact, officers of the Navy had been on every Committee appointed to consider this subject during the last 20 years. There were Naval Officers now serving on the Ordnance Committee, and not a single step was taken which was not directly approved of by the Director of Ordnance. There had been no delay with regard to construction. There had been very difficult questions to settle; but there had been cordial co-operation between the Admiralty and the War Office. The noble Lord the Member for Chichester (Lord Henry Lennox) made a speech in the House some time ago in which he condemned, in very severe language, the condition of the guns in the Navy. There was, however, no foundation for the statement of the noble Lord. The *Conqueror* had her guns, and at the time of which the noble Lord was speaking the guns were lying on the wharves. They had been in a state of transition as regarded ordnance in the Navy. There had been an entire change in construction and material, and those changes had raised very difficult questions. Every attempt had been made with regard to this question, both by the Admiralty and the War Office, to overcome these difficulties. The delay, if there had been any, was owing to the difficulty of completing the designs for the guns; and, for his part, he would frankly say he thought that delay had been advantageous; for there was no more important thing, in his opinion, than that the guns which were provided for the Navy should be such that the sailors who had to serve them should have confidence in them. Last year the whole question of construction, and of the material used, was raised by Sir William Armstrong; and the consequence was that the Committee had to take evidence of a great many skilled witnesses, and upon that evidence they had decided to change the material, and at the present time every gun under construction at Woolwich was being made of steel. It was satisfactory to know that the manufacturing departments were now keeping up with the demands of the Navy. He did not know whether the Committee would care to hear of the condition of the present breech-loading ordnance; but he might say, with reference to the 255 guns that were said to be out-standing, in a Report which was laid on the Table the other day, a considerable number were ready for issue, and that a great many others had been proved. He had no doubt that before long the arrangements for the provision of guns would be in a thoroughly satisfactory state.

Captain AYLMER said, there was one question he would very much like to have cleared up; the more so, since the answer given by the Government just now had made the matter rather more cloudy than heretofore. The hon. Gentleman the Surveyor General of Ordnance (Mr. Brand) had said that the Committee sitting at the War Office on Small Arms had decided to have 1,000 repeating magazine rifles made for the Navy. The hon. Gentleman also said he would not increase the small arms store, pending the decision of the Committee upon the question that had been referred to it. As he (Captain Aylmer) was a Member of the Martini-Henry Committee, he took a deep interest in that question. He believed the trials the Martini-Henry rifles were put to were the greatest trials that had ever been made since small arms were invented; and he hoped before any change was made in small arms an equally exhaustive trial would be made. At the same time, he thought the magazine rifle was the weapon of the future; and he desired to know whether the object of the Committee now sitting was to examine between the merits of the Martini-Henry and any other rifle brought forward, or whether they had only to examine between the merits of the Martini-Henry as a slighter weapon and the magazine rifle? Supposing that the Committee were only to inquire into the merits of the magazine rifle as against those of the Martini-Henry, and the Committee reported in favour of the magazine rifle, was it intended to issue the magazine rifles to the Army generally?

Sir **HERBERT MAXWELL** said, that on page 53 he saw an item of £20,000 set down for ammunition for the Militia. Now, time after time, he had drawn the attention of the Committee of that House to the absurdity of this Vote. He did not know how many hon. and gallant Gentlemen on the Committee were acquainted with the musketry training of the Militia; but he could assure them, having himself had practical experience, extending over several years, that the money which was spent upon musketry instruction in the Militia was absolutely thrown away. The hon. Gentleman the Surveyor General of Ordnance had told them that a net decrease shown upon page 49 was only apparent. Now, if he were to strike out the £20,000 on page 53, he would make that net decrease a real one, and the Services would not be in the slightest degree the less efficient. He could assure the Committee that he was not exaggerating the case. He was sorry it was so; but musketry instruction in the Militia in the annual training was not only irksome to the men, but it was also costly to the officers. It could not be properly carried out in the way in which it was done under the present system, and it interfered with that which could be properly carried out—namely, the ordinary drill and training of the Militia. He assured the Committee that it was in no captious spirit he offered these remarks. It was only in small details that economy could be effected, and he was strongly of opinion that for this expenditure the nation got no return. There was one branch of drill which used to be carried out in the Militia, but which of late years had been discontinued, or rendered optional—namely, bayonet exercise. He could imagine no branch of instruction in which it was more necessary to give young soldiers tuition than to teach them how to handle the bayonet, which was the old English weapon; and it was with great regret he had seen the instruction as to its use discontinued of late years in the Militia. He might remark, in passing, that the bayonets issued to the Militia were 4½ inches shorter than those issued in the Line. He did not know that that was a matter of much importance; but it was rather singular, and he did not know the reason of it. But what was really of importance, and what ought to be attended to, was that the men who carried those weapons should be instructed in their use; and in order to call the attention of the Committee to the matter he would move a reduction of the Vote by £10,000.

Motion made, and Question proposed,

"That a sum, not exceeding £1,259,500, be granted to Her Majesty, to defray the Charge for the Supply, Manufacture, and Repair of Warlike and other Stores (including Establishments of Manufacturing Departments), which will come in course of payment during the year ending on 31st day of March, 1884."—(*Sir Herbert Maxwell.*)

Mr. **BRAND** said, in answer to the question of the hon. and gallant Member Maidstone for (Captain Aylmer), he had to state that the Committee now sitting at the War Office had not to inquire as to the comparative merits of the magazine rifle and the Martini-Henry. They had had several magazine rifles referred to them for experiments. As to the Martini-Henry, it was proposed to alter the bore in order to get a lower trajectory, and the Committee were asked to report upon that too.

THE MARQUESS OF HARTINGTON said, he hoped his hon. and gallant Friend the Member for Wigtonshire (Sir Herbert Maxwell) would not think it necessary to divide the Committee on this Vote. He did not know whether the hon. and gallant Baronet was present on the last occasion when the question of Militia instruction—especially musketry instruction — was fully discussed. As a matter of fact, in the limited time the Militia were out for training, there was no time for the men to go through a complete course of drill for valuable and practical musketry instruction. That, however, was a matter which must be left in the hands of the military authorities, who were responsible for the training of the Militia Force. So far from recommending that the musketry instruction should be abandoned in the Militia, the Committee who lately inquired into musketry practice in the Army as well as in the Militia had recommended that the Militia as well as the Army should have an increased amount of ball practice.

SIR HERBERT MAXWELL: And a longer training.

THE MARQUESS OF HARTINGTON said, that was so, and he thought they also recommended longer training. The question raised by the hon. and gallant Baronet was one deserving of attention, and before that time next year he would be glad to learn the opinion both of military and Militia officers in regard to it. But in the course of the present year it would be impossible to make any alteration in the way in which the training of the Militia was carried out. Therefore, it would be necessary to provide a sufficient sum on this Vote for the ordinary training. The most convenient opportunity of discussing this matter took place the other night. In the absence of a great many of the Militia officers a Vote taken now would hardly be a satisfactory one.

SIR HERBERT MAXWELL said, the noble Marquess had given an instance of the very little attention that was being paid to the representations of officers and others acquainted with the necessities of the Service. The noble Marquess had stated that he did not know whether he (Sir Herbert Maxwell) was present during the discussion which took place on a certain occasion with regard to musketry instruction in the Militia. It so happened that he (Sir Herbert Maxwell) was the humble instrument of bringing that subject before the attention of the noble Marquess and the rest of the Committee.

THE MARQUESS OF HARTINGTON said, that many other Militia officers spoke upon that occasion, and for the moment he could not recollect who they really were. He recollected now, perfectly well, when he was reminded of the fact, that the hon. and gallant Gentleman did initiate the discussion.

SIR HERBERT MAXWELL said, he was glad the noble Marquess had recalled the circumstance. It was not only this year that he had brought the question before the attention of the Committee; but every year since he had had the honour of a seat in that House. He was glad to accept the assurance of the noble Marquess that the subject would receive his attention, and he begged leave to withdraw his Amendment.

Motion, by leave, *withdrawn.*

Original Question again proposed.

SIR HENRY HOLLAND said, it was with great pleasure he heard that the War Office was prepared to give a favourable consideration to the Report of the Public Accounts Committee. There was one point, however, on which he had expected that some further information would have been given. On Vote 12 it was supposed, as late as January, 1882, that there would be a surplus; but, as a matter of fact, there was found, in March, 1882, to be a deficiency of £70,000. He had given the noble Marquess an intimation that he should ask the question, and he understood that some explanation would be forthcoming. Perhaps, before they passed away from this Vote, some Member of the War Office would give an explanation as to how the deficiency had been brought about.

MR. BRAND said, the hon. Baronet would remember that there had been no excess in the Army Votes generally for 16 years, so that during all that time the expenditure had been kept within the Estimate.

SIR HENRY HOLLAND said, that fact did not bear upon the deficiency arising upon Vote 12, upon which information was desired.

Mr. BRAND said, the excess of Vote 12 in the year referred to by his hon. Friend was owing to the abnormal circumstances of that year. There were several causes for that excess. In the first place, there was the war then going on at the Cape, and when the Supplementary Estimates were presented to the House there were five months' accounts due, and an Estimate made for the expenditure which was not sufficient. In fact, there was an excess of expenditure at the Cape of £10,000, and that accounted for £10,000 of the deficiency. In every year, on Vote 12, there was a considerable amount which was expected to fall in that year, but which really had to be carried over, and, therefore, fell in the succeeding year. As a general rule, this carrying over was balanced by an equal sum that was carried over at the end of the same year. But, on this particular occasion, the carrying over was not balanced by the sum of £30,000. This accounted for £30,000 of the excess; but it was quite an abnormal circumstance. Then there was a difficulty in estimating the cost of the new breech-loading Ordnance. As it had turned out, a sufficient sum had not been taken for that purpose. Another disturbing cause was the great pressure put on the Department for expediting the issue of Ordnance for the Navy. He believed he had now explained to his hon. Friend the circumstances which might be considered abnormal, and which accounted for the excess. There was a balance of liabilities, as he had said, to carry over the year to the amount of £30,000; there was excess of expenditure at the Cape amounting to £10,000; there was excess in the cost of guns of £10,000; extra expenditure upon the Navy, £10,000; and, in addition to this, there was a deficiency in the Estimates with reference to the armaments. He agreed that the Vote ought to be controlled, and that this excess ought not to occur in future years.

Original Question put, and *agreed to.*

(5.) £739,400, Works, Buildings, &c. at Home and Abroad.

Mr. ACLAND desired to call attention to a point of some importance, which had been brought under his notice in the course of the last few weeks. For the satisfaction of the public, as well as for his own, and that of the persons concerned, he desired to know whether anything was likely to be done with respect to the improvement of Netley Hospital? He had had occasion to go to Netley a very few weeks ago, and he found that the lifts which were originally placed in the building for taking up the patients, and also for carrying up coals, had not been used for 20 years, except on one occasion when the patients' lift was experimented upon with the result that the officer, who was good enough to be the subject of the experiment, was let down with great violence, but, he believed, without any serious consequences. He knew it was the feeling of the medical officers who had been at work at Netley for many years that the power of using a lift would be of great value to them for the sake of the patients brought there. He might say that the lifts, as originally constructed, were so made that no stretcher could be put into them; and, therefore, no man could be carried up if he were lying on his back. Consequently, for about 20 years, the patients had been carried upstairs at considerable inconvenience, and with great pain to themselves, and much labour to the officers. Not only was this the case, but the coals were required to be carried up weekly by the attendants, and the stairs and passages cleaned afterwards. In his opinion, it was discreditable that such a state of things should have continued for 20 years in a national military hospital like that of Netley. He had taken the trouble to inquire whether, in the leading hospitals in London, there were lifts; and he found that for the last 12 years, in St. George's Hospital, lifts had been in hourly use, not only for the purpose of carrying patients up to the higher wards, but also for lifting up provisions, coals, and other necessaries. This was the case also in St. Thomas's Hospital. Both hospitals were maintained by voluntary contributions, and each, therefore, had to shift for itself. Netley Hospital, however, was supposed to be the school of military medical science; and surely every advantage that could be given to the medical officers there and to the patients should be provided. He had hoped that something would have been done already in the direction indicated. All he knew was, that a few weeks ago nothing had been done, in spite of repeated representations on the subject. There was one other point, in connection with the same subject, on which he wished to ask a question. It was referred to in the evidence of Surgeon John Longmore, who was one of the Professors at Netley. It was the question of the railway accommodation to Netley. From Mr. Longmore's evidence the condition of things in this respect was anything but satisfactory; and he desired to know whether the Surveyor General of the Ordnance could inform him if there was any scheme in preparation by which men who were brought home wounded could be conveyed without change of conveyance from Portsmouth to their beds at Netley?

Lord EUSTACE CECIL said, before his hon. Friend replied to the question put to him, he should like to ask another, about two very important confidential Commissions that were appointed some time ago. The Vote itself was in excess of the Estimate by about £23,000. That was not a large sum; but, still, every little helped, and the Votes went on increasing. The two Commissions were, rather, a Commission in one case, and a Committee in the other. They were appointed on the subject of Home and Colonial Defences. Now, the question of the Colonial Defences was a very important one. He believed his hon. Friend behind him (Sir Henry Holland) was one of the Members. The Committee, of course, did not pretend to know—it would not be advisable that they should know—what were the recommendations of the Commission. At least, they might ask if the Report had been received; and whether the Government were taking active steps to carry it out? And if, also, they would assure the House that such steps, as they in their judgment thought proper, were being carried out in conjunction with the Colonial authorities; and whether the Committee had reason to hope that all the important stations all over the world—most important in case of war—were receiving that attention which they deserved? They knew that in the Australian Colonies something had been done by the Colonists to provide themselves, at all events, with gunboats, and, he believed, with guns. It would be a good thing generally if the Committee could receive the assurance that something was being done. They did not want an important Commission of this kind to be appointed to go through a great deal of labour in examining witnesses, and then that their Report should be left in some pigeon hole. Again, there was the question of our Commercial Harbours at home. This was a very important question, and he believed that a Committee of experts had been appointed to inquire into it. A great deal was said on the question in 1878-9, at a time when they thought it was possible that they might be engaged in war. No doubt, if there were any apprehension of war again, the subject would once more come up. At the present moment it was a time of peace; but they all knew how suddenly a panic might arise. They knew, moreover, in what an undefended state Liverpool, Glasgow, Edinburgh, and Hull were. In fact, there was hardly a port they could mention, except some in the South, like Portsmouth and Plymouth, that were fully prepared against any great warlike expedition. The Report of the Committee could not be over-estimated; and he should like to know whether it had been received; whether the Government were going to act upon it; and whether they could give an assurance to the Committee that either now or at some future time active steps were to be taken with regard to Colonial and Home Defences; so that the public might feel that they would not again be left in the helpless state in which they always found themselves when there was a chance of an outbreak of war?

Sir HENRY HOLLAND said, he was glad that attention had been called to this matter, because the inquiry came very much better from a third party than from one who had served on the Commission, as he had done. The Commission had a difficult task to perform. He (Sir Henry Holland) saw the Chancellor of the Exchequer in his place. They had had the pleasure and the advantage of his services on the Commission on Colonial Defences for a year; and, therefore, he was sure the right hon. Gentleman would not consider he (Sir Henry Holland) was over-rating the importance of that Commission. The inquiries were, of course, strictly confidential; and all he could say was that the Commissioners did all they could to cut down what was considered absolutely necessary expenditure to the smallest amount. He could see, by reference to page 65 of the Estimates, that at present no effect had been given to any of the suggestions of the Commission; but it would be a great satisfaction, not only to individual Members, but to the country generally, to know that the suggestions and recommendations of the Commission were receiving the serious attention of the War Office.

THE MARQUESS OF HARTINGTON said, that the Report of the Commission was more under the consideration of his hon. Friend (Mr. Brand) than himself. The course taken on receipt of these two important and valuable Reports was this —to refer them to the consideration of the advisers of the Secretary of State. Hon. Members opposite would, he was sure, admit that the Report of the Commission on the subject of Colonial Defences, valuable as it was, was rather general in its character, dealing mainly with political considerations, and was hardly one upon which they could act without further examination on the part of their professional advisers. With the view of enabling that further examination to take place, it had been referred by his hon. Friend to the Inspector General of Fortifications, and his recommendations with regard to it had only very recently been received. It now required further consideration from the point of view of the provisions and armaments that would be required. It would be his (the Marquess of Hartington's) duty, when the whole matter had been considered, in consultation with the First Lord of the Admiralty, and others of his Colleagues, to take the opinion of the Government as a whole as to the extent and mode in which these recommendations could be best carried out. He thought the same course would be taken on the Reports of both Commissions; but the consideration of the Report of the Colonial Defence Commission was rather more advanced than the consideration of the Report of the Commission on Commercial Harbours.

GENERAL SIR GEORGE BALFOUR said, he could not allow the further Vote for the battery at the end of the Dover Pier to pass without earnestly calling attention to the way the public money was uselessly spent. That battery now stood on the Estimates at upwards of £142,000; but that was only a small part of the outlay. The armament was to be of the largest calibre of guns, and would need the permanent location of a strong detail of Artillery. The annual cost of the guns, projectiles, stores, and pay of the Artillerymen could not be less than equal to the interest on £200,000 of capital sunk. Here they had, then, an outlay of more than a third of £1,000,000 for this one battery. Again, this was the outcome of a much larger expenditure on Dover Harbour. They first began the Pier for a refuge harbour, at an estimated charge of £250,000, and, immediately after the death of the Duke of Wellington, the costly fortifications on Dover Heights were begun, contrary to the views of their great Commander, in order to defend and protect the harbour. These works had already cost more than a third of £1,000,000, and were to be improved and extended as soon as the extension of the Dover Harbour Works justified the plea. Thus they had a harbour commenced, whose cost no one could guess at, and the cry was still in favour of a large refuge harbour capable of holding their Fleet, and whose cost could not be estimated at less than millions. They also continued fortifications at Dover in spite of the Report of the Defence Commission of 1860, which stated that fortifying Dover Heights was a blunder. Further than this increased demand for works at Dover, a Commission had been sitting to find out places in other parts of the Kingdom where further fortified works could be put up, thus resuming the waste which was begun 25 years ago, and which had ended in an outlay of £7,000,000. He earnestly hoped that the Prime Minister would bring some of the old opposition which he used to feel against Lord Palmerston's former projects to bear against the new outlay. It was now a matter of history that the Prime Minister drew forth from Lord Palmerston the remark that he dearly loved his Chancellor of the Exchequer, but that he would part with three Gladstones rather than not have the planned fortification. One precaution could, however, be taken, and that was to require all the outlay on new works, and on new guns, to be borne by the Annual Estimates, and not to be made, as formerly, with borrowed capital.

DR. CAMERON said, before the Government replied he should like to ask for an explanation of another matter. The hon. Member for Midhurst (Sir Henry Holland) had called attention to an over expenditure on the last Vote which had come under the consideration of the Public Accounts Committee. He (Dr. Cameron) would wish to state, as illustrating the unsatisfactory condition of the account keeping in this Department, that an excess to which he would refer was not known in the War Office. He saw in the Estimates they had a Vote for Barracks; and he understood that two years ago, owing to the system of account keeping in this Department, under which excesses were not paid back to the Exchequer, that a house was built at Chatham out of savings for "barrack flooring." He did not know whether the Government had any information on this point; but the case could be put in the same category as that referred to by the hon. Member for Midhurst. The peculiarity was that whilst in the Navy they had an independent audit, in the War Office each Department authorized its own expenditure, and then audited its own accounts. That would probably explain the occurrence of the fact he had mentioned, and which he had on first-class authority—namely, that two years ago a house was built out of the savings of "barrack flooring," and the place was only accidentally so found to have been built by some application about its rating.

COLONEL STANLEY said, he wished to make an observation or two as to what fell from the hon. and gallant Gentleman opposite (Sir George Balfour), who spoke immediately before the hon. Member who had just sat down. On the subject of the Colonial Defence Commission the hon. and gallant Member had spoken with, perhaps, a natural apprehension that the appointment of this Commission would lead to an increased expenditure on fortifications in various parts of the world. Now, the object with which the Commission was appointed was rather that they had found in 1878, when the country was in a state of tension, and war did not appear to be probably very far distant, that there were a number of small fortifications in various places which took a large amount of stores and not an inconsiderable number of men to defend them, and which would not, under modern conditions, be of any great importance. It was thought desirable that the general question should be considered, to ascertain what places could be abandoned without harm to the Public Service—that was to say, what fortifications could be given up, so that the forces they possessed in the Colonies could be concentrated rather on those points that were really important. It was with that view that the Commission was appointed, and to the best of his knowledge it was in that view the Commission had conducted its inquiry. He only mentioned that, because it seemed to him that the apprehensions of the hon. and gallant Gentleman, though by no means unfounded in some respects, had no foundation in this respect. It was reasonable to hope that the Report of the Commission, far from being averse to expenditure, would be one more likely to lead to economy than the reverse, and if acted upon would tend to the development of the strength of the Empire.

MR. BRAND said, that as to the increase of expenditure it was more apparent than real. Regimental and Departmental pay, which showed an increase of £12,384, was formerly charged under Vote 1, whereas now it was charged under Vote 13. With regard to Netley Hospital, there had been a Report as to lifts there. Shortly afterwards an accident had occurred, but it was not of a very serious nature. A minute inquiry was made, the result of which was to prove that the accident had occurred in consequence of one of the chains slipping. He had now instructed the Inspector General to make a careful inquiry as to the cost of providing lifts on the hydraulic principle. The other point referred to had been brought under consideration.

SIR THOMAS ACLAND asked whether, in regard to the new lifts, care would be taken that they should be of an adequate size?

MR. BRAND said, he had not yet committed himself to the putting up of new lifts. What he said was that he should inquire as to what would be the probable cost of having them fitted up; if it was decided to adopt new lifts he would take care to bear in mind the observation of the hon. Member.

SIR WALTER B. BARTTELOT said, there was a point to which he wished to draw attention which, so far as he could see, he should not be able to raise on any other Vote—namely, the question of the depôt centres which were building, or had been built. It would be in the recollection of the Committee that a sum of £3,000,000 had been voted for these depôt centres when Lord Cardwell was Secretary of State for War. Well, he (Sir Walter B. Barttelot) failed anywhere to find in the Estimates an account of how that money was expended; they were entitled to know how much of it had been spent, how many barracks had been built, what barracks were still contemplated, and whether it was the intention of the Government to construct all those works which were at first planned? He did not know whether he was in Order in raising the point on this Vote; but he saw no other opportunity of being able to do so. Building of this kind was going on all over the country, and in some places large buildings were being constructed, like those at Bedford; and he thought hon. Members were entitled to know how this money was being expended, particularly as at this moment there was considerable discussion as to the wisdom of such operations. There was great difference of opinion as to whether it was wise to have the men scattered up and down in so many depôts, or whether it would not be wiser to have fewer depôt centres, and the men more concentrated.

Colonel DIGBY wished to draw attention to the hospital of the Foot Guards. Two years ago the Chancellor of the Exchequer (Mr. Childers), in introducing the Army Estimates, stated that he was going to introduce a scheme for building a large hospital in London for the Foot Guards. Perhaps he (Colonel Digby) was wrong in saying for the Foot Guards alone, the undertaking having probably been for the whole of the troops in London. At present the arrangements were in an unsatisfactory condition, and he should like to know what the views of the Government were on the subject?

The Marquess of HARTINGTON said, he was afraid he could not give the hon. and gallant Member any detailed information on the point he raised; but he believed the Annual Military Localization of Forces Account showed the expenditure raised for that purpose. He believed that account had been before the Committee. He was sorry he could not go more fully into the matter at that moment.

Sir WALTER B. BARTTELOT said, that no doubt it was true the noble Marquess could not give them that information at the present moment; but he would point out that the account to which he referred did not tell them what works were going on, but what had been expended. In 1871, he (Sir Walter B. Barttelot) had protested as strongly as he could against £3,000,000 being granted; and he had pointed out that they would never know how much of that was being spent—that year after year would pass without adequate knowledge being conveyed to the House as to what was being done. Surely it would not be too much to ask for a statement as to how the money was being expended, and what was being done every year?

Sir ARTHUR HAYTER said, that perhaps he might state that the whole amount granted—to be raised entirely by loan—was £3,500,000, and that out of that sum there only remained £250,000 unexpended. As to the account, it was laid before Parliament every year, and was placed before the Public Accounts Committee, of which the hon. and gallant Baronet was himself a prominent Member. With regard to what work was being done, he might say that very little at present was being done, since the 70 brigade depôts, the construction of which was provided for in the amount granted, were now nearly complete.

Sir HENRY FLETCHER said, the question with regard to the hospitals had not been answered, and that if no statement was made with regard to the item, though they had taken over three hospitals—that of the Grenadier Guards, the Fusiliers, and the Coldstream Guards—they would be entitled to raise the question on the Report of the Medical Committee which had been sitting at the War Office. Sir John M'Cormick had intimated in his Report that it had been recommended that the Guards' hospital should be amalgamated with the general hospital for the whole of the troops in the London district, and that at the present moment the officers of the Guards were the lessees of the existing hospital, their lease extending 17 years. The Report stated that, as yet, nothing had been done.

Sir HERBERT MAXWELL wished to know whether the noble Marquess, or his hon. Friend opposite (Mr. Brand), could say whether or not there was a sum set apart for the insurance of these hospitals?

MR. BRAND: The Government does not insure these buildings.

COLONEL DIGBY: May I ask what is the intention of the Government with regard to these hospitals?

SIR ARTHUR HAYTER said, the Chancellor of the Exchequer had been misunderstood, for he had only been alluding to the closing of the Stock Purse Fund, and not to the building of a large hospital. There was no intention of building a large hospital for the Guards, and the question pending was whether the War Office should take over the hospitals now occupied by the Grenadier, Coldstream, and Scots Guards? He had had the advantage of communicating with the solicitor of the Grenadier Guards, Mr. Farrer, and with Colonel Moncrieff of the Scots Guards, as to their respective positions. He was able to assure the Committee that, to the best of his belief, the Government would be able to wind up and close the whole question during the present Session. Full compensation would be given to the officers for the unexpired term of their leases, and those who had left the Guards—as, for instance, Major General Gipps—on promotion, while the question was pending, would lose nothing by the delay in settling the matter.

COLONEL STANLEY asked if the hon. Member would be able to give further information—as the Medical Vote was discussed—when Vote 4 came on?

SIR ARTHUR HAYTER said, he should be happy to give fuller information upon that Vote.

GENERAL OWEN WILLIAMS wished to have some information as to the amount taken for Dockyard defences. The Estimates seemed to him to be very large.

MR. BRAND said, the only amount it was proposed to take this year was £7,000.

COLONEL TOTTENHAM said, it was stated by the hon. Gentleman (Mr. Brand) that it was not the practice to insure Government buildings. Was that the case with all Government buildings?

MR. BRAND: Yes; the Government does not insure any Government buildings; the buildings insure themselves.

Vote *agreed to*.

(6.) £127,300, Establishments for Military Education.

COLONEL ALEXANDER said, he wished to call the attention of the noble Marquess the Secretary of State for War and of the Committee to a point of considerable importance bearing on the examination of the candidates for first commissions in the Army. During last spring, in the month of April, he thought between 200 and 300—nearer 300, he thought, than 200—were competing for some 30 commissions in the Army. It was obvious that, under these circumstances, very few of these candidates could possibly succeed; and what he wished to ask the noble Marquess was whether he would do anything for these young men, or, at any rate, for some of them, who had failed from no fault of their own? Their case was one of peculiar hardship. The examination in which they failed—the present final examination—was a new one. It was introduced, he believed, some two years ago, no doubt with the view of still further weeding and eliminating from the list a large number of the already too numerous candidates. He thought most Members of the Committee would be of opinion that this excessive multiplication of examinations was the very curse of the Service. What did they want with three examinations for first commissions in the Army? Surely the preliminary and the second examination should be sufficient to test the merits and qualifications of any candidate for a commission in the Army. Moreover, he had to complain that this last final examination had had on some of these candidates who failed an overdue retrospective action, and in this way. At the time this final examination was first instituted some of these candidates who had failed the other day had already passed the preliminary examination; and, as they had since succeeded in passing the second examination, it necessarily followed that, by the rules prevailing at that time, they would now have been entitled to hold commissions in Her Majesty's Service. The examination of which he spoke was, probably, not very difficult. It consisted, he believed, for the most part, besides a few other subjects, in a certain number of not very difficult questions on military law and tactics. That circumstance was of no avail—it rather enhanced the difficulties where the competitors were so many and the prizes were so few. He was told by the Examiners, where all answered well, or, at least, correctly, they were in the habit of placing at the top of the list those candidates whom they said, to use their own expression, "answered in the best form." That system, he maintained, was excessively unsatisfactory as regarded the parents of the candidates. If the parents were called upon to pay large sums of money to "crammers" for the purpose of imparting technical education to their sons, which, in the event of their subsequent failure to pass for the Army, was of no possible use to them in future life, therefore the whole, or most, of the time and money these candidates expended on their preparation for this examination was really thrown away. This system was also exceedingly demoralizing to the candidates themselves, who became disgusted, and lapsed into habits of idleness. When the various regiments of Militia were called out for training the "crammers" suspended their course of instruction, and these young gentlemen, who, with regard to them, stood in *statu pupillari*, were called upon to join in giving expensive inspection luncheons, in consequence of which they contracted habits of extravagance, and, at the conclusion of the training, they returned with no very great zest or zeal to their studies, which they regarded as not very congenial. But, further, most of these young gentlemen had no interest in the Militia—they were only birds of passage, so to speak, and their only object was to obtain commissions in the Army. Therefore, he would ask the noble Marquess if he would do something for the candidates who were rejected at the last examination from no fault of their own; and whether he would make some changes in the mode in which candidates now entered the Army from the Militia?

Colonel MILNE HOME said, his hon. and gallant Friend had drawn attention to a point of very great interest in connection with the Army at the present time. He wished to call attention to the vacancies which existed in the Cavalry regiments. He believed that some short time ago there were no less than 50 such vacancies, although one might hear from many Cavalry officers that there were plenty of good men ready to enter the regiments if they could but pass the examinations. He, therefore, recommended that those candidates for Cavalry regiments who were approved in every sense by the Commanding Officers should be permitted to go in, not for a competitive, but a qualifying examination. He was willing that that examination should be made as strict as was necessary; but he was opposed to the candidates being put to an unnecessary expense for cramming and going up to examinations which they could not pass, and which unfitted them for everything else. They had abolished Purchase in the Army, and thereby endeavoured to cheapen the profession of the soldier; but, unless he were mistaken, the cost of cramming for the Army very often cost as much as an ensign's commission in an Infantry regiment. This was a most serious question, so far as the Cavalry regiments were concerned; and he ventured to hope the noble Marquess the Secretary of State for War would give it his earnest attention, in order to find some means of filling up the existing vacancies in these regiments. He begged to assure the Committee that the work in the Cavalry regiments pressed very heavily upon those who had to do it, in consequence of its having to be performed by a comparatively small number of officers. Again, after officers were appointed to their regiments they were absolutely pestered with the examinations they were called upon to pass, and the consequence was that the ordinary work of the regiments was thrown upon the other officers. In this way far more than a fair share of the work was thrown upon the officers serving in the regiments. He rose simply for the purpose of asking that something might be done to fill up the vacancies he had referred to.

Colonel KINGSCOTE said, he wished to call the attention of the noble Marquess to the disadvantageous circumstances under which young men were examined for the Artillery. He believed that about 120 young men came up last week for the Artillery examination. They were examined in a room in Westminster Palace Hotel, in which he felt sure the President of the Council of Education would not have allowed as many school children to be brought together; the windows had to be kept open on account of the heat, and the noise of the trains on the Underground Railway and the traffic in the streets made the voices of the Examiners inaudible. Under these circumstances, a great number of the young men, more sensitive than others, did not stand a fair chance in the examination. He asked the attention of the noble Marquess to the practice he had described, and he trusted that in future the examinations for the Artillery would take place at Burlington House, as in the case of the other Army examinations.

THE MARQUESS OF HARTINGTON said, that, so far as he was aware, no change of importance connected with the examinations for the Army had occurred since he went to the War Office. His hon. and gallant Friend was under the impression that there was a difference three months ago.

COLONEL ALEXANDER said, he knew that one candidate was rejected in April who had passed the preliminary examination before this final examination was instituted.

THE MARQUESS OF HARTINGTON said, he could only repeat that no change of importance, that he knew of, had taken place since he had been at the War Office. The hon. and gallant Gentleman who had just spoken could hardly expect him to be aware of the system of examination in its details; but he would confer with the Director of Military Education with reference to the points to which his attention had been called, in order to ascertain if any redress could be given.

SIR WALTER B. BARTTELOT said, some of the existing arrangements were absolutely inconsistent with men who obtained commissions being made into good officers. He was certain they were asking the young men of the present day to do more than was necessary in the way of fitting themselves for the position of officers. The present system, he maintained, would result in the loss to the Service of the best men—men of the class who would make the best officers. Again, going to officers serving in the Army, the regimental officers were kept back, while men who had passed through the Staff College were, in every way, advanced before them. He admitted that it was an advantage for officers who knew their regimental work to go to the Staff College; but many men, although they had passed through that College well, were quite unfit for regimental service. He regarded a good deal of the education given at the Staff College as useless for practical purposes; it had nothing to do with the duties which the officer had to perform. There were some subjects which, for military purposes, it was more important that a man should learn than all the mathematics in the world; and he said that if men were required to spend their time in learning to measure the distances to the sun and the moon they would never be able to command even a small number of men in the field. It was a mischief to carry that system too far; because it was well known they had not young men to fill up the vacancies in the Cavalry Regiments, and his hon. and gallant Friend on the Treasury Bench knew well that there were men who had passed through the Staff College to whom the authorities at the War Office dared not give a command.

CAPTAIN MAXWELL-HERON said, a certain number of Queen's Cadetships were given every year to the sons of distinguished combatant officers of the Army who were living; others were given to the sons of combatant and non-combatant officers who had died in the Service. But none were given to the sons of medical officers who were living. This latter class, however, said that they did not want to die, and they would rather see their sons in the Army before that event took place. He trusted that the gift of the Queen's Cadetships would be extended to the non-combatant officers he had referred to.

Vote *agreed to.*

SUPPLY—NAVY ESTIMATES.

(7.) £864,800, Half-Pay, Reserved Half-Pay, and Retired Pay to Officers of the Navy and Marines.

CAPTAIN PRICE said, he thought the Committee had some reason to complain of the course taken by the Government in reference to the Navy Estimates. On the 7th of May last the Committee were engaged in discussing Vote 2. Progress on that occasion was reported at a late hour of the night, on the understanding that the discussion on that particular Vote should be continued when the Committee met again. He asked at the commencement of the evening whether they would be in Order in taking Vote 15; and Mr. Speaker ruled that the Government were in Order in so doing, and that it was not altogether a question of Order, but a question of the convenience of the House. His contention was that on the occasion he was referring to the Committee were given distinctly to understand, when Progress was reported, that the Business was to be taken up at the particular stage reached. The noble Marquess the Secretary of State for War was then acting as Leader of the House, and he consented that the discussion on matters connected with the *personnel* of the Navy should, as in former years, take place on Vote 2. But the Government had now left that Vote altogether, and passed on to Vote 15. His objection to that proceeding was not on the ground of irregularity, but because it would result in the Estimates being put off until it was, for various reasons, too late to discuss them efficiently. The Committee were now asked to grant a certain sum of money, and when it was granted he knew very well that the promised opportunity for discussion would be postponed till the month of August. They had always been told that the Navy Estimates should be brought forward at an early period; but, as a matter of fact, they had never been discussed before the first week in August. He submitted that, in the course they were now taking, the Government were not acting properly in this matter, and that the Navy Estimates ought to be discussed at a period of the evening when Members were likely to be present who took an interest in the questions that would be raised. He thought that Progress might that evening have been reported on the Army Estimates at half-past 10 o'clock, for the purpose of proceeding with the Navy Estimates.

Sir JOHN HAY said, he hoped some assurance would be given from the Treasury Bench that the claims of the widow of the late Captain Brownrigg had not been forgotten, and that she had received some consideration for the gallant manner in which her husband lost his life, as had been promised on a former occasion.

Mr. CAMPBELL-BANNERMAN said, the circumstance referred to by the right hon. and gallant Admiral occurred before he held his present Office, and the case had not come before him. Under the circumstances, he was unable to reply to the question put to him; but he would inquire into the matter and give an answer on Report.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £876,900, be granted to Her Majesty, to defray the Expense of Military Pensions and Allowances, which will come in course of payment during the year ending on the 31st day of March 1884."

Mr. STEWART MACLIVER said, he might refer under this Vote, which related to pensions, to a new Circular which had been issued by the Admiralty dealing with engine-room artificers. By that Circular, these men had to serve two years more in order to acquire a pension. Hitherto they had been entered for 10 years, and then re-entered for 10 years, while by this new Circular men who had served 10 years were required to serve 12 years more. The effect had been that out of 600 men not a dozen had re-entered; and one reason why they had not re-entered had been this—that the effect of this Circular would be to defer their rise of pay. The number of artificers entered from 1873 to 1876 was 96—those had obtained their second rise of pay; but under this new Circular their next rise of pay was to be deferred until the completion of the 12th year. They would be deprived of 3*d.* per day for two years, or £9 2*s.* 6*d.* per man. Then, between the latter part of 1876 to 1882, 313 men joined, and those men would be mulcted of £4 11*s.* 3*d.* each, which was 3*d.* per day for one year, before they got their next rise, and then would be deprived of 3*d.* per day for two years before they got their subsequent rise. In all, this loss amounted to £13 13*s.* 9*d.* per man for men of this class. The loss to the men was something enormous. Men who had joined from 1872 to 1882 would lose to the amount of £5,755 6*s.* 3*d.* Surely a mistake like that would not be allowed to continue; and he should be glad to hear some explanation of it from his hon. Friend the Secretary to the Admiralty.

Mr. PULESTON said, he thought they were entitled to more ample opportunities for the discussion of the questions that were raised in connection with the Navy Estimates. This was a question which they should be placed in a position to consider a little more exhaustively than was then possible. The Prime Minister had said that an entire evening should be devoted to the Navy Estimates, and if that was still the intention of the Government, he did not wish to prolong the present discussion; but if these brief snatches of time only were to be placed at their disposal, then he should follow his hon. Friend opposite fully into the question he had raised with reference to the effect of the recent Circular upon the pay of these engine-room artificers. But his desire was to allow the Vote to pass, on the understanding that another opportunity would be given to discuss the point raised by his hon. Friend as well as other kindred matters.

Mr. CAMPBELL-BANNERMAN said, that the hon. and gallant Member for Devonport (Captain Price) found fault with the Government for not going on with the consideration of Vote 2. He begged to assure the hon. and gallant Gentleman that the reason for the course they were now following was the convenience of the House; because it might otherwise have been alleged that insufficient time was allowed for the discussion which hon. Members desired to take upon that Vote. The money now asked for by the Government was necessary for the pay of the Navy, and he had not anticipated that, under the circumstances of the case, any discussion would have been raised on the present occasion. It was not unnatural that his hon. Friend behind him (Mr. Macliver) should have said something on the subject of the recent Circular, so far as its effect upon the wages of engine-room artificers was concerned; but he thought it would be much better that this question should be considered when they reached Vote 2.

Mr. A. F. EGERTON said, if it were understood that another opportunity would be afforded for the discussion of the question raised by the hon. Gentleman opposite, he thought that it would be better to go into the matter when that opportunity presented itself.

Sir JOHN HAY said, it was impossible for the Government, notwithstanding the statement just made by the hon. Gentleman the Secretary to the Admiralty, to make sure of a discussion on Vote 2 on all the subjects connected with the Navy which hon. Members would have to refer to. The difficulty they were placed in was this. The Admiralty asked for £2,000,000, which would meet their expenditure during the months of July and August; and unless the House continued to sit into September he felt sure that the general discussion of the Navy Estimates which had been promised would probably be postponed until the next Session of Parliament. His hon. and gallant Friend the Member for Devonport (Captain Price) complained of the invariable delay which took place in bringing forward the Navy Estimates. The result of that delay was that the Estimates were year after year shunted until the end of the Session, the Government, in the meantime, having obtained without the least trouble all the supplies they wanted. It was true that when the end of the Session approached the Estimates would be brought forward; but hon. Members would then find that no one was present to discuss them. The rest of the money would then be taken for the Shipbuilding Vote and the Vote for the *matériel* of the Navy, and so the general discussion that was to have taken place would be again put off indefinitely. The fact was, this was really not the way in which Public Business ought to be conducted. He did not blame the hon. Gentleman (Mr. Campbell-Bannerman) in the slightest degree; but he considered that the £10,000,000 required for the service of the Navy ought not to be voted in a slipshod manner. Two nights only had been given to the discussion. The general discussion had not yet been completed. He was sure that those who were present upon the two last occasions would not say that there was any prolonged or unnecessary discussion. The Government were now asking for £2,000,000 without any discussion whatever, which would adjourn the proper discussion of the Navy Estimates until the time when no one was present.

Mr. CAMPBELL-BANNERMAN said, the Prime Minister had given an assurance that night that the Government would take care that an opportunity would be given for resuming the discussion of the Navy Estimates. That promise would be fulfilled. There was no intention that the Votes should be put off until the end of August; but, of course, the Prime Minister was unable to state a definite day on which they would again be taken. The right hon. Gentleman had, however, promised that the House should shortly have an opportunity given to it for discussing Naval matters. Two nights had already been given for discussing Navy Estimates; and if the first night was not a full one, it was not the fault of the Government, but owing to the fact that a Motion was brought on before the Estimates.

Sir JOHN HAY said, that if they were very soon to have a discussion on the Navy Estimates it would be better the hon. Gentleman should only take £1,000,000 instead of £2,000,000; £1,000,000 would last him all through July, and then the Committee would be assured that the promise of the Prime Minister would be necessarily fulfilled before the closing days of the Session. That was the proper Constitutional course to take.

The CHAIRMAN: I must point out to the Committee that, in my opinion, the question raised by the hon. Member for Plymouth (Mr. Maclíver) is in no wise relative to Vote 2. That is the Vote on which he may properly raise the question.

Mr. PULESTON said, in reference to what had fallen from his right hon. and gallant Friend (Sir John Hay) and the Secretary to the Admiralty (Mr. Campbell-Bannerman) as to the pledge given by the Prime Minister that they should have an early day for the discussion of the Navy Estimates, he might remind the Committee that the Prime Minister had said that they intended to go on continuously with the Committee on the Parliamentary Elections (Corrupt and Illegal Practices) Bill. That alone precluded them from any chance of re-examining and considering the Navy Estimates at an early day.

Mr. STEWART MACLIVER said, he understood that on the last occasion when the Estimates were before the Committee he could introduce the question of the engine-room artificers upon the present Vote. The Chairman had now ruled that it could not be taken except under Vote 2. What he wanted particularly to call attention to was, that of the 600 engine-room artificers not a dozen of them had consented to re-enter the Service, on account of the irregular character and the obnoxious regulations of the Circular recently issued. He would like to know whether the Secretary to the Admiralty (Mr. Campbell-Bannerman) meant to modify the terms of the Circular or not?

Captain PRICE considered that Votes 1 and 2 were proper Votes on which the hon. Gentleman the Member for Plymouth (Mr. Maclíver) could very properly raise questions with regard to the engine-room artificers. As concerned the Vote immediately before the Committee, he (Captain Price) desired to say one or two words regarding the rating of chief petty officers. That was a question strictly of pensions. He believed he was correct in saying—and he was sure the Secretary to the Admiralty would correct him if he was wrong—that reports had been made to the Admiralty, by officers in Her Majesty's Service, that there was a difficulty in getting men to take the rating of a chief petty officer. Generally speaking, that rating was offered to men of 14 or 15 years' service, just four or five years before they retired from the Service. There was great difficulty in getting them to come forward, and for this reason—that there was no difference made in the pensions of the men from what they would receive if they remained in the Service simply as petty officers. A man had to consider what gain it would be to him to take the rating with the increased responsibility of chief petty officer. He had an increase of pay amounting to 5*d.* per day. So far so good; but, on the other hand, he had to provide himself with a new uniform, and that cost him £13. He was allowed to sell his old one, which brought him in about £2; so that altogether he was £11 out of pocket. It therefore took him about 18 months of his increased pay before he could meet the cost of the uniform; so that naturally what a chief petty officer looked forward to was his pension. That was the root of the difficulty. They did not get proper men to come forward. Captains of ships and Admirals of ports had almost to press young men—men who were not fitted for the rating—to take the rating of chief petty officer, because the officers who had had long experience would not take it for the reason he (Captain Price) had indicated. He hoped the Secretary to the Admiralty would be able to say whether the Admiralty had considered the matter, and if they had come to any decision. He trusted he had made the case clear; it was a very simple one, and he hoped the effects were as he had stated. If they could not get proper men to take the rating, they must look for the reasons; and if the reasons were as he believed them to be, it was a fair case for some amelioration to be given.

SIR EDWARD J. REED said, it appeared to him that the Committee were at some disadvantage by the ruling just given. It was clearly understood when Vote 1 was passed, that the Committee would be allowed on Vote 2 to range over the whole Estimate as if Vote 1 had not been passed. He was, therefore, quite startled to learn that they would be debarred, when they came to Vote 2, from giving the discussion the range which was distinctly understood it might take. He considered that the discussion had disclosed what he believed to be very grave irregularities in connection with the Estimates. It seemed to him most improper that the Government should, on an occasion like this, take Votes for £2,000,000 for Half-Pay and Pensions, and should feel at liberty to apply that money over the whole range of the Naval Service. He believed that was thoroughly and entirely unconstitutional, although he knew it was not unusual. And it appeared to him that a very great improvement upon the Constitutional practices of the House would take place if they insisted upon the Government of the day expending only the money which the House of Commons voted. Now-a-days they got Votes of this description for one set of Services, and they spent the money upon other sets; and they felt themselves at liberty to postpone the full discussion on the Naval Estimates to a period in the Session when it could not be properly discussed. His opinion was that the House would do well, if instead of passing, as it sometimes did, abstract Resolutions in favour of economy, it asserted its control over the expenditure, and only allowed that specific expenditure which it had voted. Now, he wished to say a word or two upon the Vote which was now before them. He should only say a word or two, and that by way of protest. It had been the fashion lately for hon. Members on the other side of the House to accuse hon. Members on the Ministerial side of saying things out of the House which they dared not say in the House. Now, he wished to state in the House, more strongly than he had ever stated out of it, that his objection was to that lavish expenditure—that increasing expenditure—of the public money upon the Non-Effective Services. He took the trouble that evening to look through the Votes of that year, so as to find out how much the Government considered they could afford to spend upon the additions to their Iron-clad Fleet. He found that, upon making a liberal estimate, the whole amount they proposed to spend on their iron-clads was but £1,000,000. What, however, they proposed to expend upon half-pay and pensions was £2,000,000. It did seem to him a most deplorable thing that, while the Votes of Parliament for the necessary and efficient performance of the Public Service and the keeping the country in its proper position should be subject to diminution, the Vote for Non-Effective Service should go on increasing year by year. It would be a shame and a disgrace that Parliament should separate and dissolve without taking some active step for the purpose of checking the Government in continually increasing this Vote for half-pay and pensions. He knew he did not get much support in a matter of this kind; but he was satisfied the Public Service was suffering immensely from the present state of things. He wished it to be clearly understood that in saying that he was not opposing in the abstract and generally half-pay and pensions; but what he did oppose was the very extraordinary and constant growth of the expenditure under that head. He maintained that there was no Service in the world which could go on continuously increasing the appropriation of money to persons for doing nothing without arriving at a grave and unexpected disadvantage. He did not know whether they would receive that night from the Secretary to the Admiralty any encouragement to believe that the Government were taking any measures with the view of checking the growth of expenditure under that head. He recognized perfectly well the importance and magnitude of the question, and he knew also that a prospective reduction of those Votes was a matter of great difficulty. But he did not think it would be satisfactory to hon. Members of the Committee to be told that those Votes must go on increasing merely because it was difficult to prevent their growth. He considered that was a question which the Government ought to face; and he, for his part, found it difficult to give anything like cordial or hearty support to any Administration whatever which passed over a subject that had become one of grave scandal, seeing that in the course of a few years it was shown, by the Return obtained by the hon. Baronet opposite (Sir Massey Lopes), that wasteful expenditure had nearly doubled. He thought he would receive much support, on the contention that it amounted to a public scandal, that while they saw the nation could only afford to spend £1,000,000 a-year on improving their Fleet, they spent no less a sum than £2,000,000 upon people who did nothing at all. If they could receive any encouragement from the Government to look for a diminution he should be glad; if not, and providing he could get reasonable encouragement, they would be justified in trying next year to carry some adverse Resolution.

The CHAIRMAN: The hon. Gentleman the Member for Cardiff (Sir Edward J. Reed) expresses some surprise at my view with regard to the Motion proposed by the hon. Member for Plymouth (Mr. Macliver). It is strictly in accord with the Rules of this House, as they have been practised for several years. The hon. Member for Plymouth has raised a question which was referred to distinctly and specifically in the Vote before the Committee, and which Vote was announced in the Orders of the Day. This is clearly a proper occasion to bring it forward. It is not proper to refer to it on Vote 2, to which it has no relevancy whatever.

Mr. CAMPBELL-BANNERMAN said, he did not understand his hon. Friend (Sir Edward J. Reed) to throw any doubt—in fact, he would have been behaving in an improper way if he had done so—upon the ruling of the Chair. While admitting that the decision of the Chair was in accordance with the Rules of the House, his hon. Friend alluded to the fact that there was an understanding among Members of the Committee as to the mode of arranging the discussion. He (Mr. Campbell-Bannerman) thought the Chairman said on a previous occasion that questions might be dealt with under Vote 2 which were strictly not in Order under that Vote, if there was a general agreement in the House that that should be allowed—and he (Mr. Campbell-Bannerman) thought there was that general agreement at the time. With regard to the subject of half-pay and pensions, raised by the hon. Gentleman (Sir Edward J. Reed), he could assure his hon. Friend that there was no one who looked upon the whole system of pensions with greater distrust and suspicion than he did himself. But, whatever they might think of the results of the system, they could not deny it was a system upon which the whole Public Service was built; and if there were those large Votes for Military and Naval and Civil pensions, it was because they had induced officers and men to enter the Service many years ago on the understanding that there was so much pay and so much pension. That might be, or it might not be, a wasteful and improper way of conducting the Public Services. He dared say there was a good deal to be said in favour of paying a man the full amount he earned, and getting rid of the bargain of paying him a pension. But, unfortunately, whatever might be the merits of the question which was now raised it would only affect those who entered the Service in the future. The men who were now serving, and whose pensions formed the burden of the complaint, were men in regard to whom they were bound to carry out their obligations. The Government had no power to affect the growth of that Vote, as far as officers and men now serving in the Army and Navy were concerned. He had one little crumb of comfort to give his hon. Friend, which was this—that in this year there occurred a cessation of the first Terminable Annuities in connection with the commutation of pensions, in consequence of which there was a saving this year to the extent of £17,898. That decrease would go on year by year for some time to come. He would also point out that the Government proposed, if Parliament would agree to it, to make a slight alteration in the service of the seamen who were to be engaged in the future, which would defer the period when they would become entitled to pensions. That was a step in the direction which his hon. Friend desired to see followed. But as to any sweeping reduction of that Vote, it was perfectly impossible it could be accomplished; because the nation had made certain contracts with officers and men, who were now serving in the Army and Navy, and it was bound, of course, to discharge its obligations.

MR. ILLINGWORTH said, he wished his hon. Friend the Member for Cardiff (Sir Edward J. Reed) had gone one step further. It was a debatable question whether the system of pensions was one really necessary for the Public Service. As a matter of fact, he considered that one of the evils of their Service was that they had about double the number of officers to any other civilized nation in the world. ["Oh, oh!"] He thought he could make good his statement. In the German Army they had only about half the number of officers that we had. [Mr. ASHMEAD-BARTLETT: No, no.] The fact was so notorious that he could not imagine anyone but the hon. Member for Eye doubting it for a moment. For his own part, he thought that if they could have public attention turned to the over-officering of the Navy and Army they would not only have a direct and large public saving in that direction, but also in another direction. He did not complain that there was too large a sum for the Non-Effective Services, as compared with the sum voted for the iron-clads and other implements of destruction; but he did consider that, in this country and all other countries, if it were not that the officers had an overwhelming influence in the maintenance of large Standing Armies, the public purse would be largely relieved of a great deal of the expenditure which was now regarded as necessary.

SIR EDWARD J. REED said, of course he need not say he had any idea of proposing a reduction of anybody's pension who was entitled to a pension. His only desire was to prevent the introduction of any principle by which the Pension List would grow in the future. There was no difficulty in showing that the expenditure which they were providing for the future, upon the *personnel* of the Navy, was out of all proportion to the number of ships the nation had. As he understood the Chairman's ruling, it was necessary to take that part of the question now, because it could not be resumed on Vote 2; but he did not understand that ruling to limit the discussion to victuals and clothing on Vote 2.

MR. PULESTON said, he thought it desirable that the Committee should distinctly understand whether, if this subject was brought up on Vote 2, the Chairman would rule that out of Order?

THE CHAIRMAN: I thought I had made matters perfectly clear. I said that the Motion of the hon. Member, which distinctly referred to this Vote, having been raised, it would be irregular to stop it at this point and relegate it to a Vote to which it has no relevancy.

MR. PULESTON wished to know whether, when the subject was brought up again, the Chairman would rule that to be out of Order? Upon that would depend the course he would take now.

THE CHAIRMAN: I am unable to explain myself with greater clearness than I have already done three times.

CAPTAIN PRICE said, he thought the Committee were getting a little mixed. It was about time they should review, and if possible reform, their procedure on the Navy Estimates. Vote 1 was wages for Seamen and Marines; but that was the Vote upon which the Minister introduced the Estimates, and covered all the ground connected with the Estimates, and hon. Members, in reply, covered the same ground, and discussed not only the question of wages, but shipbuilding, and pensions, and every matter connected with the Navy. It was found, however, that there was not time in one night to discuss all these matters; and the Government being anxious to get their money, Vote 1 was tacitly passed on the first night, with the understanding that on Vote 2 the same discussion should be renewed. As a matter of fact, on the last occasion they discussed very freely on Vote 2 the question of the *matériel* of the Navy chiefly in regard to shipbuilding, and then reported Progress, on the understanding that on the resumption of the debate on Vote 2 only questions relating to the *personnel* of the Navy should be discussed; but that meant not only that they should discuss pay, but also pensions, so that he took it when they came to Vote 2 it would be open to them to discuss every question relating to the Navy. He hoped that, as had hitherto been the case, when they came to that Vote, they would be at liberty to discuss such a question as that which had been raised by the hon. Member for Plymouth (Mr. Macliver)—namely, that of the engine-room artificers, and their pay and pensions.

Mr. PULESTON said, that, whatever was right or wrong in this matter, many of the Dockyard Representatives were absent to-night, on the understanding reiterated by the Prime Minister, that all these matters would be discussed on Vote 2. He respectfully repeated his question whether, on Vote 2, these questions would be ruled out of Order? Because upon the reply to that question would depend his action now.

Mr. CALLAN asked, whether, as a matter of procedure, it was in Order for the Government or the Front Opposition Bench, the Chairman having ruled that the question of pensions could be raised only on Vote 15, to make Rules to suit their own convenience, and discuss any matter but that which was before the Committee?

Sir JOHN HAY said, he thought the matter before the Committee showed the great inconvenience of the course the Government had taken. The result of taking Votes 15 and 16 had been to entirely overturn the agreement which the Government had made. He was sure the Chairman's ruling commended itself to everyone present. Votes 15 and 16 had been brought before the Committee, and subjects relevant to them must be discussed upon this Vote. No doubt, upon Votes 1 and 2 the whole Naval arrangements had, as a matter of convenience, been discussed; but if, by arrangements which were excessively inconvenient, two Votes were taken without discussion to enable the Government to obtain £2,000,000, it was evident that none of the subjects appertaining to Votes 15 and 16 could be again discussed on Vote 2, in anticipation of Votes 15 and 16, which had already been discussed. The breaking of the arrangement which had been come to with the House did not rest with the regulations of the Committee, which they must all adhere to. It rested with the Government, who had come down and, in anticipation of the necessities of the Service, had appropriated £2,000,000 to be devoted to paying pensions and shipbuilding which were in arrear. That would keep them going during July and August; so that, although he recognized the desire of the Prime Minister to give an early day, what with the Parliamentary Elections (Corrupt and Illegal Practices) Bill and other matters, such an opportunity would not arrive until well on in August. By that time the £2,000,000 would be exhausted, and so would the attention of Members, and the Government would be able to take the rest of the money without discussion. Subjects relating to Votes 15 and 16 could not be discussed now; but he asked the Chairman whether, with reference to other subjects not appertaining to those Votes, the arrangement would still continue?

The CHAIRMAN: There was, no doubt, what I must call an understanding —but that cannot be considered as of the importance of the Rules of the House—that on Vote 2 a general discussion was to be permitted; but, in the meanwhile, this question has been raised by the hon. Member on the Vote to which it strictly applies; and, therefore, it would not be proper, in my judgment, to relegate it to a Vote to which it has no relevance. I should consider that I was carrying out the Rules of the House, and of the Committee, if I gave a general effect to that understanding, which was accepted. It seems to me to be the general wish that there should be some discussion on Vote 2, somewhat of the nature of the discussion on Vote 1; but, clearly, it would not extend to matters which had been brought forward in their proper order.

Mr. W. H. SMITH said, he thought there was a little misunderstanding upon this question. The hon. Member for Cardiff (Sir Edward J. Reed) had referred to certain Orders or Circulars with regard to engineers and artificers, and the period at which they would be entitled to pensions. It appeared to him that the conditions under which engineers and artificers and other servants of the Crown might apply for pensions, were conditions which might properly be discussed on a Vote which concerned such distinct employment. This Vote was understood to apply to the payment not by way of food, but by making provision for those public servants; and the conditions under which they would cease to receive payment directly, and become eligible for pensions, clearly entered into the terms of their engagement. He, therefore, submitted that it would be proper that the Circulars should be discussed when Vote 2 came on again; and he concurred with his hon. Friend that there was considerable inconvenience in interrupting a discussion of this character by another Vote, such as that presented to-night. He was sure the Secretary to the Admiralty would admit that it was not desirable to have this interposition; and it would be much better that on another occasion they should be allowed to proceed regularly with the Estimates, and go through with a discussion that had been begun, because great loss of time and inconvenience resulted from this interruption. The hon. Member for Bradford (Mr. Illingworth) appeared to think that the Navy was vastly over-officered, and that the effect was to greatly increase the charge on the public purse for the Navy, in excess of what was necessary for the Public Service; but if the hon. Member should some day be called upon to perform some of the duties in relation to the Navy—as he hoped he some day would be—he would form a very different view upon this question. He himself believed there was no excess of officers in the Navy whatever; and he said this after carefully considering the matter with the greatest possible desire to effect economies in the administration of the Public Service. He was convinced there could be no greater inconvenience than that there should be any excess of any expenditure which could be avoided; but with the advance of science, and with the increased demand for engines, there was much greater employment and necessity for younger officers in the Navy. Where in old days three lieutenants were required in a ship, there was now ample work and necessity for four or five. These officers had to be employed in their younger days, and some provision must be made for them afterwards. They could not be turned adrift after 10 or 15 years' service, to make their way in the world as best they could. There was no excess of officers at present; and if, unfortunately, they found themselves bound to go to war, there would be some difficulty in finding a sufficient number of qualified officers for the ships they would have to put into active service; and he was sure his opinion would be confirmed by those who were now responsible for the conduct of Her Majesty's Navy. Although he regretted that there should be so large a charge for the Non-Effective Service, he was afraid that was part of the conditions of the engagements into which they had entered with these men; and that if they were to do away with the system of pensions now in operation, they would have enormously to increase their rates of pay. These were provisions which offered very small rewards for zeal, and intelligence, and education, and devotion to the Service; and it was quite certain that if men were exposed to the chance of being dismissed from employment to which they had devoted themselves, at the age of 35 or 40 years, there would be greater difficulty, in the first instance, in finding men, and, next, it would be necessary to very largely increase the pay; and even then he doubted whether the country would be as well served as it was at the present time. With regard to the conditions under which the blue-jackets entered the Service, he was glad to find than an endeavour was to be made to extend the period when they would be entitled to pensions. He believed that the Service would be greatly benefited by that postponement in every way. The blue-jackets would acquire a greater responsibility, and would thus improve the Service; it would lessen the charges for the Service, and there might be economy in giving higher pensions after 25 years' service, instead of after 20 years' service, as at present. The effect on the lower deck men would tend greatly to the improvement of the discipline and tone of the ships. He regretted that hon. Members, who had not any personal knowledge of the Service, had spoken, as they sometimes had, of officers who deserved all credit, and the most complete confidence of the country; for he was sure that anyone who had any knowledge of the sacrifices these men made could thoroughly appreciate the extent of the demands of the Service upon these officers in times of emergency and difficulty.

MR. ONSLOW wished to ask the Secretary to the Admiralty what he meant by saying that he was a convert against the system of pensions? In this Vote there were pensions to officers for good and meritorious services; pensions for conspicuous bravery by engineers and warrant officers; pensions for the widows of naval officers; and gratuities for seamen and marines. Would the hon. Gentleman like to qualify the statement he had made? How far would he go to abolish these pensions? The Secretary of State for War had gone so far as to say that pensions must be increased in the Army. Did the hon. Gentleman intend to do away with pensions in the Navy altogether, or to increase the existing pensions? He thought every officer in the Navy would wish to have some explanation of the statement; and it was due to the Committee that the hon. Gentleman should give some explanation.

Mr. CAMPBELL - BANNERMAN said, his explanation was that he had not made such a statement. He had explicitly said that nothing that was done with regard to pensions would affect anyone now in the Navy. With respect to the question of the hon. and gallant Member for Devonport (Captain Price) as to petty officers, that matter was now under consideration, and the Admiralty were endeavouring to arrive at a satisfactory conclusion upon it. The same thing might be said with regard to the question of engine-room artificers. A complete answer had not been received to the Circular which had been issued; but if the proposal was ultimately found insufficient for its purpose, they would be ready to consider further what should be done.

Mr. PULESTON said, with regard to the hon. Gentleman's statement that he could not give a further answer as to the Circular, under the ruling of the Chairman the matter could not be brought up again; and he, therefore, would move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Puleston.*)

Mr. CAMPBELL - BANNERMAN said, he hoped the hon. Member would not persist in his Motion. The Committee had been for three-quarters of an hour discussing whether a particular matter could be discussed or not; and the Chairman had distinctly stated that if there was a general understanding that this matter should be alluded to, he would not raise any objection to that being done on Vote 2.

Mr. PULESTON said, that was all he wanted to know.

Mr. CAMPBELL - BANNERMAN said, with regard to the engine-room artificers, their pension was only one point in their case, and, as the right hon. Gentleman (Mr. W. H. Smith) had pointed out, it really turned mainly upon the conditions governing their arrival at a pensionable period. It might probably be discussed on Vote 2, and he hoped the hon. Member would be satisfied with that.

The CHAIRMAN: My duty is to carry out the Rules of the House, and there can be no question of what those Rules are in relation to this matter. The question now raised cannot, in my opinion, be referred to on Vote 2. That would be out of Order, were it not that there was a general understanding on the part of hon. Members that when Vote 2 came on I should not interpose. In the meantime, however, the question now raised by the hon. Member has been raised in its proper place, and has been discussed, and it would, therefore, be improper to remove it from that place in order to discuss it on a Vote to which it has no relevancy.

Sir EDWARD J. REED said, that, if he rightly understood the Chairman, he meant to say that, so far as the pensions of the engine-room artificers were concerned, that question could not be raised again, but that the question of the pay of these people could be discussed again on Vote 2. Was that what the right hon. Gentleman had said? As to the unfair manner in which his hon. Friend the Member for Bradford (Mr. Illingworth) had been referred to, he wished to say this. It had been suggested that his hon. Friend had said something derogatory to some of the officers of Her Majesty's Navy.

Mr. R. N. FOWLER rose to Order. He believed the Motion before the Committee was that the Chairman do report Progress.

The CHAIRMAN: Under the New Rules the hon. Gentleman must confine himself to the Question before the Committee

Mr. A. J. BALFOUR wished the Chairman to give the Committee some assistance in this matter. It was plain, from what had fallen from the right hon. Gentleman (Mr. W. H. Smith), that he had misunderstood the question. If they passed this Vote, this matter could not be raised again; therefore, the passing of the Vote finally closed the discussion, and it would appear that the pledge given by the Prime Minister to the Committee would not be fulfilled—namely, that the whole question of Naval affairs could be discussed on Vote 2. In consequence of the right hon. Gentleman's pledge many hon. Members who were connected with the Dockyards were not now present to take part in the debate. The Government had, unintentionally, no doubt, got themselves and the Committee into this difficulty, and it would be only fair that they should see themselves and the Committee out of it. He would suggest, therefore, the propriety of postponing the Vote.

Mr. CAMPBELL - BANNERMAN said, he did not know whether the hon. Gentleman understood it, but only a small part of the case was affected by the consideration about which they had heard so much—namely, the question of the engine-room artificers' pensions. It was only the question of pensions which came under this Vote, and the whole of the rest of the case of the engine-room artificers could be discussed on Vote 2. The Question before the Committee was really whether they should go out of their way, by reporting Progress, to put off the Vote, when really only a small part, even of the case of the engine-room artificers, was involved.

Sir JOHN HAY said, that if the Government would agree to a proposal he had to make, probably the hon. Gentleman (Mr. Puleston) would withdraw his Motion for reporting Progress. The Government had already obtained Vote 15, and if they would consent to take only the 1st section of Vote 16 they would have £1,500,000, which would be sufficient money to carry them on until the early part of August, and the Vote would be kept open for the subject which hon. Members interested in Dockyards wished to discuss.

Mr. W. H. SMITH said, it was never understood that any part of this Vote should be postponed until the early part of August. The Prime Minister had promised that an early day should be given for the discussion of this Vote; and it would not be in accordance with that understanding if these Estimates were postponed at the end of June until the beginning of August. They could not call the beginning of August an "early day."

Mr. GLADSTONE said, the right hon. Gentleman (Mr. W. H. Smith) was perfectly right in what he had said. The intention of the Government had certainly not been that this Vote should be taken so late as August, but that it should come on some day in July. It appeared to him that in a particular instance where a certain point had been discussed, as he understood had been the case with the subject of these pensions, it could hardly be supposed that the granting of an interval between the first and second part of the Vote was a question which fell within the spirit of the undertaking of the Government, any more than he understood from the Chairman it fell within the Rules of the Committee.

Sir JOHN HAY said, that certain Members had believed that the general discussion would take place on Vote 2, and they were anxious to discuss, not the general, but a particular question. This particular subject rose on Vote 16. The right hon. Gentleman who presided over the Committee had ruled that this particular question could not be discussed on Vote 2. The Vote in which it occurred happened to be divided into two parts, and the first part of it had been put by the Chairman, and included a large sum for the expenses of the Navy in addition to the amount already granted. The proposal he made, which was to take the first half of the Vote now, and to leave the second upon which hon. Members wished to raise a specific question, was perfectly legitimate. Hon. Members were not present to raise this specific question in consequence of the pledges of the Government.

Captain PRICE said, that the Prime Minister, in the few observations he had delivered, had given them a good reason why Progress should now be reported, and he did not think that anything which had been said had removed that reason. If the Prime Minister were even to give them a day for the discussion of the Navy Estimates they would be estopped from considering this subject of pensions now, or, at any other time this Session. Hon. Members had been in possession of the field the other day in discussing Vote 2. Under that Vote they could discuss the pensions of all

Her Majesty's servants connected with the Navy; but now, if they passed this Vote, or part of it, they would be estopped from discussing the question which they wish to discuss.

THE CHAIRMAN: I observe in Section 2 there is a Vote taken for artificers, and if that section is not now put, I presume the discussion could be taken on it.

MR. CAMPBELL-BANNERMAN said, the engine-room artificers' pensions only appeared in part 1.

CAPTAIN PRICE said, there was a large question as to pensions to be gone into.

MR. PULESTON thought it was a mistake for any hon. Gentleman to suppose that the question of pensions was a small one.

MR. RAIKES could not help asking the Secretary to the Admiralty whether he would not be economizing time by accepting the Motion for reporting Progress? It was clear the question hon. Members wished to discuss could not be raised on Vote 2. Was there, therefore, anything to be gained by endeavouring to divide Vote 2 into two sections?

Question put.

The Committee *divided:*—Ayes 47; Noes 74: Majority 27.—(Div. List, No. 154.)

Original Question again proposed.

MR. W. H. SMITH said, he would venture to ask the Prime Minister to allow Progress to be reported now. It seemed to him that time would be saved by adopting this course, and that there would only be a small amount of discussion on the matter when it came before the Committee again. Undoubtedly, if the Vote were pressed on now, it would involve a great waste of time. A sufficient sum of money had been granted for the Public Service which would prevent any inconvenience whatever being experienced during the interval.

MR. GLADSTONE said, he could not accede to reporting Progress upon the plea of the right hon. Gentleman, that some hon. Members were not present owing to their not having been aware that the subject was coming on for discussion. However, although the Government could not appreciate the reason given why Progress should be reported, they owed some consideration to the Committee. It had been suggested that if an adjournment were granted the discussion on a subsequent occasion would not be prolonged. To this no one had objected, and he supposed he might take it that silence gave consent. On this understanding he would accede to the wish of a large number of Members.

Resolutions to be reported *To-morrow.*

Committee also report Progress; to sit again *To-morrow.*

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL [*Lords*].

(*Mr. Trevelyan.*)

[BILL 130.] SECOND READING.

Adjourned Debate on Second Reading [11th June].

Motion made, and Question proposed, "That the Debate be adjourned to Monday."—(*Mr. Trevelyan.*)

MR. ONSLOW said, before the Bill was postponed he would like to ask whether it was to be put down as the second Order of the Day or not? It appeared quite unexpectedly as the second Order to-day. He would like to know exactly when it was intended to proceed with the Bill. Was it to be put down *pro formâ* for Monday, or did the Government intend really to proceed with it then?

MR. TREVELYAN said, the Parliamentary Elections (Corrupt and Illegal Practices) Bill would be the first Order of the Day, and this Bill the second.

Motion *agreed to.*

Adjourned Debate *further adjourned* till *Monday* next.

FRIENDLY SOCIETIES (NOMINATIONS) BILL. [BILL 228.]

(*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."—(*Mr. Stuart-Wortley.*)

MR. WHITLEY said, he hoped his hon. and learned Friend would not press this Bill now. It was a Bill that contained some details of a serious character, some of which seemed to him were, by the clauses of the Bill, very difficult to determine. There were some parts of the Bill of which he believed Friendly Societies and Savings Banks approved; but there were other clauses to which they had determined objection. By some of the clauses of the Bill Directors and Managers of Savings Banks were made responsible for the duty payable to Government. It might be true that they were not made legally responsible in one sense; but they objected to the responsibility being thrown on them of saying when duty was payable, and they considered the obligation should not be cast upon them of determining whether a customer had duty to pay, and they preferred that the present system should exist—that in all cases probate or letters of administration should be produced. The only argument against that was that there must be some expense; but by this Bill it was proposed that they should be called upon to pay on legacy receipts, which simply added to the expense. The clause was somewhat confused, because it placed nominations and wills and intestacies in the same category. A nomination for £100 of a person coming with a legacy receipt might be dealt with; but in cases of intestacy or wills there might be five or six legatees to be dealt with, and that was a responsibility the banks objected to. A probate would be granted free of duty up to £100, and therefore there could be very little expense, and it was only when the assets amounted to more than £100 that probate would be payable; and why a legacy duty stamp should be required in addition, it was impossible to conceive. To make banks responsible for paying legatees when there was a simple way of payment by executor or administrator, was a new feature altogether to which Savings Banks decidedly objected. Why were they to be placed in a position so different to other banks? Why were they to make inquiry into the circumstances of their customers?

Mr. SPEAKER: I must remind the hon. Member that he is discussing the whole of the Bill. According to the Standing Orders the House should properly proceed with the consideration of the Amendments, unless the hon. and learned Member in charge of the Bill should wish to postpone the Question that the Amendments be now considered. It is properly my duty to call on the Secretary to the Treasury to proceed with his Amendment.

Mr. BUCHANAN asked, was it not open to raise the whole question on a Motion for the re-committal of the Bill?

Earl PERCY asked, was there no means of moving that the Bill be postponed?

Mr. SPEAKER: I will read the new Standing Order in reference to the matter, which will answer the question whether it is possible to move the re-committal of the Bill—

> "When the Order of the Day for the consideration of a Bill as amended in Committee of the Whole House has been read, the House do proceed to consider the same, unless the Member in charge of the Bill shall desire to postpone its consideration, or a Motion is made to re-commit the Bill."

Therefore, at this stage, a Motion to re-commit the Bill could be made.

Mr. WHITLEY said, he was in hopes his hon. and learned Friend would agree to a postponement; but that not being so, he begged to move that the Bill be re-committed.

Motion made, and Question proposed, "That the Bill be re-committed." —(*Mr. Whitley.*)

Mr. STUART-WORTLEY said, he was in the hands of the House. But hon. Members had had full warning of the Bill coming on in all its stages, and the Amendments made in Committee were brought fully to the notice of those the Bill most affected. Of course, if the Bill were re-committed now he would lose a stage, and the House knew that was a serious thing at this period of the Session. His hon. Friend's objections were directed against Clause 9; but there were many Amendments before that clause would be reached which might be disposed of now. Then, if the questions raised by Clause 9 appeared to be of such difficulty and complexity that the House was unwilling to discuss them now, it would be for the House to say when further progress should be made with the Bill as amended. At all events, his hon. Friend might agree to allow the Amendments to be disposed of until those to Clause 9 were reached.

Earl PERCY said, his hon. and learned Friend might be assured that neither the hon. Member for Liverpool (Mr. Whitley) or anyone else had any desire to impede the progress of the Bill; but he imagined the reason for the Motion of the hon. Member was to give his hon. and learned Friend the opportunity to see if he could accept such modifications in the Bill as would make it satisfactory to those who complained of its present form. He was sorry his hon. and learned Friend did not now see his way to accept the views of the hon. Member for Liverpool; and he confessed he thought the hon. Member was, under the circumstances, justified in opposing the present stage, and he trusted that with some further consideration the Bill might be made more acceptable. He (Earl Percy) had received many communications on the subject, which showed there was a very strong feeling on the part of Managers of Savings Banks and Friendly Societies in reference to it; and he hoped his hon. and learned Friend would think it advisable to postpone this stage of the Bill, or assent to some amendment in the points in dispute on Clause 9.

Mr. DILLWYN said, he had given Notice in reference to the Bill a week ago, and he was quite ready to proceed with the consideration. But he thought it would be wiser on the part of the hon. and learned Member for Sheffield to consent to the re-committal of the Bill. There was a great deal of apprehension in regard to the Bill on the part of Managers of Savings Banks, and he felt sure that if the Bill were re-committed there would be no desire to impede it. He hoped the hon. and learned Member would consent to the proposal, and he did not think time would really be lost by so doing.

Mr. COURTNEY said, he thought it was rather to be regretted if the Bill were re-committed. The whole difficulty arose upon Clause 9, as to which there was a great deal of apprehension; but he thought that a little attention paid to the wording of that clause would remove all alarm. He observed that there were no Amendments directly attacking that clause; but the House might deal with the Bill until that clause was reached, and then adjourn further consideration until time had been given to draft Amendments.

Mr. WHITLEY expressed himself as quite willing to agree to that proposition, and begged leave to withdraw his Motion.

Earl Percy

Mr. A. J. BALFOUR said, he thought it would be a good thing to carry out that suggestion, provided that the hon. and learned Member for Sheffield would not bring on the Bill for discussion at an unreasonable hour. The Half-past Twelve Rule could not, in this case, be applied by means of a Notice of opposition; so, before the House proceeded with the earlier clauses, the hon. and learned Member should give a pledge that Clause 9 should only be discussed at a reasonable hour of the night.

Mr. BUCHANAN said, if the Bill were re-committed it would be a more convenient method of discussing the clause. In a discussion upon this stage the hon. and learned Member himself could only speak once in explanation of his measure; but, in Committee, the discussion would have much more freedom.

Mr. STUART-WORTLEY said, only by the indulgence of the House could he speak again. He was willing to give the undertaking not to proceed with Clause 9 on the present occasion; but to comply with the demand of the hon. Member for Hertford (Mr. A. J. Balfour) would be almost to give an undertaking that the Bill should not proceed this Session. How would he define a reasonable hour? At the latter part of the Session, 1 or 2 o'clock was not an unreasonable hour. At all events, he would not discuss Clause 9 that night.

Motion, by leave, *withdrawn.*

Bill *considered.*

On the Motion of Mr. Courtney, the following Amendment made:—In page 2, after Clause 4, insert the following Clause:—

(Nominations by Savings Bank depositors.)

"A depositor in a Savings Bank, not being under sixteen years of age, may, by writing under his hand delivered at or sent to the office, nominate any person, not being an officer or servant of the directors (unless such officer or servant to the husband, wife, father, mother, child, brother, sister, nephew, or niece of the nominator), to whom any sum not exceeding one hundred pounds, which may remain due to such depositor at his decease, may be paid at such decease, and may from time to time revoke or vary such nomination by writing under his hand similarly delivered or sent; and, on receiving satisfactory proof of the death of a nominator, the directors shall pay to the nominee the sum due to the deceased depositor, provided it does not exceed one hundred pounds."

Clause 1 (Extent and short title of Act).

On the Motion of Mr. Courtney, the following Amendments made:—In page 1, line 18, after "Britain," insert "and;" line 18, after "and," insert—

"Except section nine of the same, and so much thereof as relates to Trades Unions to;"

and in line 19, after "Islands," insert—

"And except the said section nine and so much as relates to Industrial and Provident Societies, and to Trades Unions to the Isle of Man."

On the Motion of Mr. Stuart-Wortley, the following Amendment made:—In page 1, line 19, leave out "Friendly, &c. Societies Nominations," and insert "Provident Nominations and Small Intestacies."

Clause, as amended, *agreed to.*

Clause 2 (Definition of terms).

Earl PERCY rose to ask the hon. and learned Member for Sheffield whether he would give the House some further pledge that he would not introduce the Bill for discussion at an inconvenient hour? His intention, doubtless, was fair enough; but he had said nothing as to the hour after which he would not bring on the Bill in future. They had a right to press the hon. and learned Member to name some definite hour.

Mr. SPEAKER: The noble Earl is not speaking to the Question.

On the Motion of Mr. Stuart-Wortley, the following Amendment made:—In page 1, line 26, after "in," insert "and whose affairs are actively managed by."

On the Motion of Mr. Courtney, the following Amendments made:—In page 1, line 25, after "bank," insert "and of a Post Office Savings Bank Insurance;" page 2, line 7, leave out "or 'The Government Annuities Act, 1882;'" line 8, after "applies," insert "and a Post Office Savings Bank;" line 18, after "Bank," insert "and of a Post Office Savings Bank Insurance;" and leave out "the Post Office where the same is established," and insert "the General Post Office."

Clause, as amended, *agreed to.*

Clause 4 (How a nomination may be made).

On the Motion of Mr. Courtney, the following Amendment made:—In page 2, line 30, leave out "of a society or registered bank."

Clause, as amended, *agreed to.*

Clause 6 (Provision in case of intestacy and no nomination).

On the Motion of Mr. Stuart-Wortley, the following Amendment made:—In page 3, line 8, leave out "trustees," and insert "directors."

Clause, as amended, *agreed to.*

Motion made, and Question proposed, "That the further consideration of the Bill, as amended, be postponed to Monday week."—(*Mr. Stuart-Wortley.*)

Earl PERCY said, he would now ask the hon. and learned Member to name an hour after which he would not bring on the Bill?

Mr. STUART-WORTLEY said, he was entitled to ask in return what, in the opinion of the noble Earl, was a reasonable hour?

Earl PERCY said, 12 o'clock.

Mr. R. N. FOWLER said, it was obvious that, to a private Member at that period of the Session, any time before 2 was reasonable.

Motion *agreed to.*

Further Consideration, as amended, *deferred* till *Monday, 9th July.*

TITHE RENT CHARGE RECOVERY BILL.—[Bill 119.]

(*Mr. Stanley Leighton, Mr. Cropper, Mr. Pell, Mr. Bulwer.*)

SECOND READING.

Order for Second Reading read.

Mr. STANLEY LEIGHTON called the attention of the Speaker to the Notice of Amendment to the Order for the Second Reading of the Bill, which stood in the name of the noble Lord (Lord Burghley). The Amendment was in these words—

"That it is inexpedient, in the opinion of this House, that any Bill should be proceeded with until a better system is arrived at of obtaining the average value of corn grown in this country."

Such an Amendment as that, if carried, would stop further legislation in the House, and the point upon which he desired to have the Speaker's ruling was the use of the words "any legislation." As a precedent in point, he would refer to the debates upon the Roads and Bridges (Scotland) Bill in 1873, in the course of which an Amendment was given Notice of by an hon. Member, worded in a similar manner—"That the House declines to entertain any legislation affecting the burdens upon the ratepayers, &c." This was held to be out of Order, the Speaker deciding that it could not be put to the House. It would be observed that he raised the very same point which had already been decided by the Speaker *ipsissimis verbis.* If that was so, then would not the same objection apply to the Motion of the noble Lord, and would not the Bill stand as an unopposed Order of the Day?

Mr. PELL said, he would also direct the Speaker's attention to what took place on May 18 last year, upon the second reading of the Prevention of Crime (Ireland) Bill, when the hon. Member for Dungarvan (Mr. O'Donnell) moved an Amendment which the Speaker ruled was not relevant to the Bill before the House, and thereupon refused to put the earlier part of the Resolution, only permitting the latter part, which was relevant, to be discussed. The present Amendment of the noble Lord would touch every Bill before the House; and if the House accepted it there would be an end of legislative work for the Session.

Mr. SPEAKER: I understand the contention to be that the Amendment in the name of the noble Lord the Member for North Northamptonshire is irregular and irrelevant, and therefore does not apply in blocking the Bill. The Amendment appears to me to be relevant to the Bill. I cannot rule it out of Order. I think his intention might be more correctly expressed by the noble Lord, yet I cannot say the Amendment is irregular.

Mr. STANLEY LEIGHTON said, there was another point to which he wished to call the Speaker's attention. The Amendment opposed the progress of the Bill—

> "Until a better system is arrived at of obtaining the average value of corn grown in this Country."

Now, the Bill had nothing to do with corn averages.

Mr. SPEAKER: I am bound to say I think I have already answered the Question.

Second Reading *deferred* till *Wednesday* next.

Mr. Stanley Leighton

PUBLIC BUILDINGS (DOORS) BILL.

(*Mr. Coleridge Kennard, Mr. Beresford Hope, Viscount Folkestone, Mr. W. Fowler.*)

[BILL 239.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Coleridge Kennard.*)

Sir WILLIAM HARCOURT said, this was not a Bill he could recommend the House to accept. No doubt, the subject-matter was of considerable importance; but he did not think that an Act of Parliament simply enacting that doors should open outwards was at all adequate, or the proper way of dealing with a matter of this description. Without going further, he would advise the House not to read the Bill a second time.

Mr. ONSLOW said, he quite understood the feeling that prompted the hon. Member in introducing the Bill, and it dealt with a matter in which he was interested, since his attention was drawn to it while serving for two years on the Committee on the Metropolitan Fire Brigade. At the same time, he agreed with the Home Secretary, and did not think the subject could be dealt with by the Bill before the House. A clause in the Bill provided that doors should be—

> "Hung or placed in any public building in such a manner as to open outwards."

But what was a "public building?" According to the Bill, a "public building" meant—

> "Any building used as a place of public amusement or entertainment, or for the holding at one time of one hundred persons, or a larger number of persons, for any purposes whatsoever."

Would that include public-houses? Was the door of every large public-house to open outwards to the road, for many of them were capable of holding more than 100 persons? Did his hon. Friend mean to say he would have this stringent rule applied to every public-house in the Kingdom? He hoped the Home Secretary, after what had happened at Sunderland, would see the necessity of providing in some manner for better exits from theatres and public halls. But this Bill did not meet the exigences of the case, and the House should not be called upon at that hour to give it a second reading.

MR. COLERIDGE KENNARD said, he was disappointed that his Bill did not meet the views of the Home Secretary. He was not aware that there was any objection in his mind. He well remembered that when the question was asked whether the Government had any proposal in view to meet the admitted danger, the Home Secretary said he had no intention of submitting any measure on the subject, and therefore he (Mr. Kennard) had prepared this simple Bill, to which he hoped the House would give a second reading. In Committee he would be quite ready to take into consideration such Amendments as would make the Bill useful; but, of course, the Bill was at the mercy of Her Majesty's Government, and theirs must be the responsibility of rejecting it.

MR. STUART-WORTLEY said, he thought that the Government should give some assurance that they would in some way deal with the subject by enforcing regulations dealing with what was a very serious matter.

SIR WILLIAM HARCOURT said, if a pledge were required that the Government were addressing their attention to it, he would give that pledge; but the proper way of dealing with it would, he thought, be under the Building Act. This Bill would condemn the Houses of Parliament, and provide that the doors of the Division Lobbies should open outwards, and the responsible official of the House would be subject to a penalty, for the House was unquestionably a public building. He did not think this was a serious manner of dealing with a serious question.

MR. W. H. JAMES objected to legislation in a panic. The accident at Sunderland occurred only 10 days ago; an inquiry was to be held in a few days—on Monday; and it would be an extraordinary proceeding for Parliament to legislate upon a matter of this kind before that inquiry had been held. He had an opinion as to that disaster in a direction towards which the attention of the House had not been drawn, and he should move that the Bill be read that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. W. H. James.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. ASHMEAD-BARTLETT said, he thought the principle of open doors might be modified in Committee. The statement that this was legislation in a panic was groundless, and he hoped the Government would not oppose the second reading, but would be content to move Amendments in Committee.

MR. WARTON said, he thought it was necessary to watch the Home Secretary's words. The right hon. and learned Gentleman had said the attention of the Government was directed to this subject; but there was no pledge that they would take any action upon the matter. The Government ought to do something in the matter; and unless a pledge to that effect was given the House ought to pass this Bill.

MR. WHITLEY said, he hoped the House would allow the Bill to be withdrawn. The Government had said their attention was directed to the subject, and he had no doubt they would do something.

Amendment, by leave, *withdrawn.*

Motion, by leave, *withdrawn.*

Bill *withdrawn.*

MOTIONS.

DETENTION IN HOSPITALS BILL.

LEAVE. FIRST READING.

THE MARQUESS OF HARTINGTON, in moving for leave to bring in a Bill for extending to certain hospitals the provisions relating to workhouses which enable the detention therein of persons affected with diseases of an infectious or contagious character, said: Although I have no doubt that the amendment of the law which I ask leave to introduce may give rise to a good deal of opposition, I hope the House will be disposed to allow it to be introduced without opposition this evening, and be content to take the discussion on the second reading, which I will undertake to move at a time when it can be conveniently and adequately discussed. It may, however, be appropriate that I should say a few words as to the object of the Bill. It is simply for the purpose of carrying into effect the proposals of the Government which I have already stated in answer to Questions in this House, proposals which they have to make in consequence of the Resolution arrived at a short time ago by the House. Hon. Members will recollect that the House passed, by a considerable majority, a Resolution condemning the compulsory examination of women under the Contagious Diseases Acts. It appeared to the Government that, although they were perfectly aware that no Resolution of one House of Parliament could alter the law, this was a matter which, through the structure of the Acts, was unquestionably within the power of this House to decide upon; because the Acts depended for their operation entirely upon the action of the Metropolitan Police and certain surgeons, the expenses of whom were met by Votes of this House. The House of Commons, therefore, had the power in their own case to give effect to the Resolution at which by a large majority they had arrived. Well, Sir, the Government, holding as they did that the powers conferred upon them under the Acts were unquestionably mainly of a permissive character, proposed at once, when the Resolution of the House was passed, to give effect to that Resolution by withdrawing, as soon as possible, the Metropolitan Police from the districts dealt with, and thereby put an end to the compulsory examination of women. At the same time, the Government stated that, in their opinion, no time ought to be lost in making the law conformable to the new state of affairs. They, therefore, undertook to bring in a Bill to give effect to the Resolution of the House, upon the line which I have already indicated. It is with the object of fulfilling that pledge that I ask leave to bring in this Bill. It will proceed upon the analogy of the Poor Law. Under that law the workhouse authorities are enabled to detain persons affected with contagious diseases in workhouses, and this Bill proposes that similar powers be conferred upon the chief medical officers of certain hospitals under the Acts. The Bill also contains provisions for maintaining order in hospitals, for empowering magistrates to order the discharge of women from the hospitals, and for the payment of the expense of conveying women to their residences, when those residences are situated within the limits defined in the Bill. Those are all the provisions which we believe will be necessary. The provisions of the Contagious Diseases Acts which relate to the compulsory examination of women, to the registration of women, and the so-called voluntary submission to examination may, in our opinion, safely be repealed. I do not think it is desirable that at this hour I should detain the House by any further explanation of the Bill. I need not repeat that the House has the perfect right to decline to continue longer the experiment, conducted as it was on a very partial scale, which was long tried under these Acts. I cannot disguise from myself the very strong opinion that exists in a large part of the country against these Acts; and I cannot disguise from myself that it is impossible to hope that anything in the nature of this legislation could ever have been extended over the whole country. I do not believe that any very great or satisfactory result could have been expected from the operation of a law confined within the very limited area which the Contagious Diseases Acts covered. I cannot say that I speak with any great confidence or hopefulness as to the future use of the hospitals maintained by the Admiralty or the War Office under the system simply of voluntary admission. At the same time, there is one way in which it will be possible to have these women treated in the hospitals. Under the Bill which I am asking leave to introduce, the medical practitioners generally will have inducements held out to them by the Admiralty and the War Office to persuade their patients of the class in question to enter the hospitals. Thus without any police warning, without being made marked women as it were, women of the town who are affected with these diseases may be induced, possibly in larger numbers than at present, to repair to the hospitals where they will be treated without having fixed upon them the social and moral stigma which attached to any woman who was known to be subjected to periodical examination and the supervision of the police. There is some hope that in this way, where these hospitals exist, a number of women, perhaps not smaller than those under the Compulsory Clauses, may be induced to go into the hospitals, and the good intentions of the Legislature may not be frustrated. I move for leave to bring in the Bill.

Motion made, and Question proposed,

"That leave be given to bring in a Bill for extending to certain hospitals the provisions relating to workhouses which enable the detention therein of persons affected with diseases of an infectious or contagious character."—(*The Marquess of Hartington.*)

MR. PULESTON said, he thought that in moving to introduce this Bill the noble Marquess had clearly shown that the Bill would be worthless; and he wished to submit to the House the question whether it was worth while to occupy time in discussing the Motion when the Bill was, of necessity, introduced by words which clearly indicated that there was little prospect of its being of any use? It would repeal the present Acts, and thereby do great national as well as local harm. When these Acts were put in force in garrison towns, it was done for Imperial purposes; and it was not too much to ask that those towns should have the protection which those Acts afforded. Nobody knew better than the noble Marquess, and the Chief Secretary, and the Secretary to the Admiralty, and the Judge Advocate General, who had to administer these Acts, how valuable they had been; they were unequivocally in favour of the Acts, and yet the Government brought in this Bill. The Home Secretary had told a deputation that the condition of things before the enactment of these Acts in the localities for which they were intended was simply shocking. He quite concurred in that, and he thought the House ought not to give leave for the introduction of this Bill.

MR. WARTON said, that contrary to their convictions the Government had yielded to an agitation against Acts which they knew had done good. He did not rise to reproach them, but to make a suggestion, which might have some effect on this important Bill, and that was that a provision should be inserted making it a misdemeanour for any person knowingly or negligently to communicate this disease to another. The effect of that provision would be to induce woman to go into hospital; and he thought that suggestion would assist the Government. He was convinced that until such communication of disease was made a misdemeanour, women would not feel a sufficient stimulus to enter the hospitals; for in their unhappy trade their disposition was to go on as they were.

MR. STEWART MACLIVER said, that with all deference to his hon. Friend the Member for Devonport, he thought the hon. Member was premature in condemning this Bill. The Goverment had simply fulfilled the pledge they gave in regard to this matter, and it remained for the House to deal with, and if necessary amend, the Bill in Committee. He thought it would be well to pass the first reading of the Bill.

Motion *agreed to.*

Bill *ordered* to be brought in by The Marquess of HARTINGTON, Secretary Sir WILLIAM HARCOURT, and Sir ARTHUR HAYTER.

Bill *presented*, and read the first time. [Bill 247.]

MARINE POLICIES (COLLISIONS) BILL.

On Motion of Mr. KENNARD, Bill to render damages under the Collision Clause in Marine Policies of Insurance irrecoverable in so far as regards the ship proved to have been in fault, *ordered* to be brought in by Mr. KENNARD, Sir CHARLES MILLS, Sir JOHN LUBBOCK, and Mr. HUBBARD.

Bill *presented*, and read the first time. [Bill 245.]

PRISON SERVICE (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL for IRELAND, Bill to explain and amend the thirty-second section of "The General Prisons (Ireland) Act, 1877," *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. TREVELYAN.

Bill *presented*, and read the first time. [Bill 248.]

COMPANIES ACTS AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Companies Acts 1862 and 1867.

Resolution *reported:* — Bill *ordered* to be brought in by Sir JOHN JENKINS, Mr. DILLWYN, and Mr. STUART-WORTLEY.

Bill *presented*, and read the first time. [Bill 276.]

HOUSE OF LORDS (CONSTRUCTION AND ACCOMMODATION).

Lords Message, this day, requesting the attendance of The Right honourable George John Shaw Lefevre, *considered:*—And Mr. Shaw Lefevre, in his place, having consented, —Leave given.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 29th June, 1883.

MINUTES.]—Public Bills—*Second Reading*—Supreme Court of Judicature (Funds, &c.)* (130).

Committee—Public Health (Scotland) Provisional Order (Fraserburgh Waterworks)* (63).

Report—Local Government Provisional Orders (No. 3)* (73); Criminal Law Amendment (69-134).

Third Reading — Local Government Provisional Orders (Poor Law)* (67); Local Government Provisional Orders (Poor Law) (No. 3)* (99); Local Government (Provisional Order (Highways)* (103), and *passed.*

Royal Assent—Lord Alcester's Grant [46 & 47 *Vict.* c. 16]; Lord Wolseley's Grant [46 & 47 *Vict.* c. 17]; Municipal Corporations (Unreformed) [46 & 47 *Vict.* c. 18]; Pier and Harbour Provisional Orders [46 & 47 *Vict.* c. xliii]; Local Government (Ireland) Provisional Order (No. 3) [46 & 47 *Vict.* c. lxxxix]; Pier and Harbour Provisional Order (No. 2) [46 & 47 *Vict.* c. xlv]; Gas and Water Provisional Orders '[46 & 47 *Vict.* c. xlvi]; Tramways Provisional Orders (No. 2) [46 & 47 *Vict.* c. xlvii]; Water Provisional Orders [46 & 47 *Vict.* c. xlviii].

ARMY — STATE OF THE ARMY—RECRUITING AND ORGANIZATION.

OBSERVATIONS.

Lord STRATHNAIRN, in rising to call the attention of the House to the speech of the late Secretary of State for War, delivered at Pontefract on the 13th of March, 1882, in which he stated that recruits and under-age men are unfavourable features in the corps of 12 battalions, of 1,250 men each, which he had organized to meet an emergency or sudden war; and, further, to the necessity which had occurred before the Egyptian operations of transferring inefficient men from battalions who were the first for foreign service, and replacing them by men of the First Class Army Reserve; also, to call attention to the alarming state of the present recruiting organization, said, he was anxious to give expression, with one exception, to the gratitude of all friends of the Army and the country for the wise and manly admission of the noble Marquess the present Secretary of State for War, that the short-service without pension—the Civil Minister of War's system—had broken down, and was to be replaced by the long service with pension—the Duke of Wellington's system, which had proved itself triumphant. The exception was, that the measure was only to be temporary. He had, however, to complain of the ever-varying regulations of the War Office, which engendered much distrust and inefficiency; and he considered that, at the present time, the right course was to forget all differences, and unite in a common effort in working out the remedy for the present unsatisfactory state of things. Without any exultation over the fulfilment of the predictions of himself and his Colleagues, there was nothing they would not do to assist Her Majesty's Government in restoring to the Army its efficiency and the prestige and position which it had, by Heaven's mercy, ever held, and would hold, in the estimation of the world. But, on the other hand, there was nothing they would not do, in fairness and honour, to avert the calamity of such an evil as the revival of the short-service system and its adjuncts, which bore the evidence of the omnipotence of a Civil Minister of War, and his profound ignorance of military matters, but especially of the *sine quâ non* of an Army, its recruiting, by his disregard of the opinions and advice of the Commander-in-Chief, and of an official promise made to His Royal Highness in Parliament—he meant the *pari passu* case upon which the whole question hinged, which, with attraction of pension, would have insured the triumph of long service. The consequences of those errors were desertions from the regiment itself, and from one regiment to another; fraudulent enlistments without a parallel for a series of years, and want of discipline and *esprit de corps* in peace. And in war, panics, a fearful military massacre, defeats, and humiliations, such as in Zululand and the Transvaal, unknown before in our annals of war. It was the War Minister's complete ignorance of the vital attraction of long service with its pension, an attraction re-echoed by every officer of experience from the Duke of Wellington downwards, which had brought the Army to the brink of ruin. In 1870 a radical change, so vast and comprehensive as to be a revolution in our military organization, took place under the direction of the Civil Minister of War, who was its author, and to whom was intrusted, for the first time, the *quasi*-independence of the War Office of the Commander-in-Chief. He did not even possess the military instincts so frequently found in civilians. His antecedents were unmilitary. He had been Private Secretary — he (Lord Strathnairn) had no doubt a good one —to a very pacific Prime Minister, and had held some such other employment. But so long as British statesmanship countenanced the Civil government of the Army—that was a Civil Minister of War, who knew nothing about war or armies, and who acted, not only without the concurrence, but against the advice and opinions of the Commander-in-Chief, with plenary powers to carry out what reforms he chose, and with *carte blanche* on the Treasury to pay for them—so long should we have to deplore waste of millions of money, when the expense of short-service wars and reverses were taken into calculation, and a great waste of human life, and young recruits called on to bear trials in the hardship of war which the unanimous opinion of the Medical Department declared they were unable to bear. [The noble and gallant Lord then gave a history of the short-service system, and called attention to the number of desertions and the shortcomings of the system.] Resuming, he said he would call their Lordships' attention to the remarks of Sir Frederick Roberts after his return from India, when, in returning thanks for the toast of his health, he said that it was his duty to tell the country the truth as to his experience in the field of the two systems, which he made perfectly intelligible by saying that when his superior in Afghanistan, Sir Donald Stewart, justly selected for his high merits to be Commander-in-Chief in India, offered him the privilege of selecting his own force, a favour from one brother officer to another, which, as Sir Frederick Roberts said, could not be surpassed, he took all the old soldiers, and left all the young ones behind. He (Lord Strathnairn) himself and his Colleagues entertained the same belief, that it was their duty to tell Parliament and the country the truth as to these two Services; and whatever might be the result of this military crisis, it would always be a consolation to them to do their duty by their Sovereign and their country.

THE EARL OF LONGFORD said, that the noble Earl opposite (the Earl of Morley), who spoke for the Government, seldom failed to justify any deficiencies that might be pointed out in the state of the Army, and it was useless, therefore, for him (the Earl of Longford) to enumerate the acknowledged defects of the Service. The noble Earl was apparently satisfied with the official answers that were given, and content to consider an Army on paper as equal to one ready to take the field. None of the present authorities of the War Office were immediately responsible for these defects; but he might earnestly beg those now in power to consider very seriously some matters to which the attention of the Department might be advantageously directed. Without wishing to throw blame on anyone, it must, he thought, be admitted that the present organization of the Military Service of the country had not had satisfactory results. When short service was established, it was announced as one of the first conditions essential for its success that there should always be a Force, sometimes called a Division, and sometimes called a Corps, ready for service. But no such thing had ever been approached; and on the two occasions when Expeditionary Forces of no great strength had been called for, it had not been forthcoming. First, they had had to draw volunteers from other regiments; and, secondly, it was necessary to begin by using the Reserve. He also doubted whether the enrolling of recruits below the standard was filling up the ranks in a satisfactory manner. The system of linking battalions, too, could hardly be said to have realized the intentions with which it had been adopted—the foreign battalion was to be kept complete, without exhausting the home battalion. Result—the home battalion was exhausted, and the foreign battalion was not complete. And as to the territorial system, they did not find it had been successful in bringing their recruits from every corner of the Kingdom, as it was expected it would do, for it was found that the recruits preferred to go to some other regiments than those of their several districts. In one Militia regiment 120 men volunteered for the Line, on the distinct understanding that they were not to go to the local corps. These facts necessarily had some reference to the opinions prevalent amongst officers; and, although he scarcely liked to say anything about their grievances in that connection, he might point out that the prospects of many officers had been so interfered with, and their expectations so disappointed by the endless changes which had been made, that if the noble Earl had the same opportunities that he (the Earl of Longford) had, of hearing their views, he would consider some improvement in the present arrangements. As a matter of administration, he might ask where the new War Office was which they had been in such a hurry last year to protest against as standing across the Mall? There were no signs that the erection of the building was about to be taken in hand, though the necessity for it had been recognized for the last 20 years. In his opinion, the time had come when these questions should be faced; they were but a few of the complaints usually made as to the Army, but they were, he was convinced, so well founded that the efficiency of the Service largely depended on their removal.

The Marquess of HERTFORD said, he felt that there ought to be no politics in military matters, and after the very candid and lucid way in which, three weeks ago, his noble Friend the Under Secretary of State for War (the Earl of Morley) responded to a Question put by the noble Earl below himself (the Marquess of Hertford), who had held the office of Under Secretary of State for War (the Earl of Longford), he should not feel justified in saying a word which could increase the difficulties of the War Office. But all that had been adduced by the noble and gallant Field Marshal (Lord Strathnairn), who had preceded him, was thoroughly true, and his opinions, and the opinions of the noble Earl who had just spoken, were in effect the opinions of 99 out of 100 of the regimental officers of the Army. They were the last who had been consulted during the last 12 years, and they had scarcely had a word to say about the changes that had been made. The failures, which were being somewhat tardily confessed, arose from the English system of trusting her Army to civilians, which was adopted by no other civilized country in the world. If they were allowed to remain in Office, and to acquire the necessary experience, the Army would have far less to complain of. But the practice was that Secretary of State after Secretary of State was changed, and the moment a man got a smattering of experience in the War Department he was superseded by another. While subaltern officers of the Army were required to pass very stringent examinations, no steps whatever were taken, by way of examination, to ascertain whether the Secretary of State for War knew anything about Army matters. So long as we went on this way, so long should we have serious failures. He knew he should be told that there were military men in the War Office, who were from time to time consulted; but if they inquired who they were, they would find that there was hardly a regimental officer among them. He was afraid it was now most thoroughly ascertained that, year after year, during the last 12 years, military affairs had been more and more taken out of the hands of the Commander-in-Chief, and placed in those of the Secretary of State for War. The noble Viscount (Viscount Cardwell), whose absence from the House he regretted, he was sure was prompted by the best wishes for the welfare of the Army when he propounded his scheme contrary to the opinions of regimental officers. Twelve years had elapsed, and it had entirely disappointed the expectations that had been upheld as to its success. Our first line of defence was crumbling away, our Reserve was hardly worth the name, and we had about 20,000 men instead of the 80,000 men the noble Viscount promised us. At a cost of £3,500,000 we had erected extensive barracks to carry out the territorial system, which had broken down; and we had given up our grand old regimental system, which the Duke of Wellington and others had considered the best system in Europe. The fact was the barrack was no longer the home of the soldier; the time of service was so short that the officers could not possibly become accustomed to the men, and the drill, consequently, could not be properly performed, for they did not know each other as they used to do; the men could not settle down and feel at home; and the men did not feel the same confidence in their officers as they once did. In the old days of long service, an officer knew that, if he lost his life in the Service, his widow and children would be taken care of; but now, they knew little of each other. The medical men knew nothing of the rank and file, were less able to detect malingering, and had no opportunity to become acquainted with the constitutions of the men, and to win their confidence. Then the men could have no confidence in new doctors whom they had, perhaps, never seen before, as they could have in the old regimental surgeons. The short-service system was not applicable to a volunteer Army. It might be all very well in Germany or France, where the Army was enlisted by conscription; but with our voluntary system it was not possible to make it work. He would, therefore, appeal to the Government to revert, as soon as it could, to the long-service system, though, of course, it would be a question of time. He was glad to see that the Marquess of Hartington, a short time after he became Secretary of State for War, allowed service with the Colours to be extended to 12 years; but he was afraid the mischief was done. The men who had been three years in the Service would not accept the offer to be made to them. They had not been living comfortably, and they were anxious to get away to their former employments. They would, however, find in many cases that their places had been permanently taken by others, and they would have to begin life again. Thus, the Reserves would become the worst enemies of recruiting, and their complaints of the Service and of their own condition would deter others from enlisting. He had seen in *The Times* of June 6, a letter from Captain Walter, a gentleman well known to many of their Lordships as the head of the Corps of Commissionaires, in which he stated that, during an experience of many years, he had heard no complaint of the strictness of officers, but the greatest possible dissatisfaction with the many recent alterations, and the total abolition of the old regimental system; that the system of double battalions had destroyed the possibility of the officers taking that personal interest in the men which they used to take. Captain Walter went on to state that, when an officer began to take interest in his men, they were liable to be drafted off to a fresh battalion, where they would never see them again, and that the men felt the uncertainty of a position which they would soon have to give up and start life afresh. The feelings expressed by Captain Walter were, he believed, shared by almost every officer in the Service.

THE EARL OF MORLEY said, that the Rules of the House with respect to Questions were not very strict; but, on that occasion, they had been stretched to the utmost limits of laxity. Whilst the Notice of the noble and gallant Lord (Lord Strathnairn) was to call attention to the state of recruiting, he (the Earl of Morley) had had, upon that Notice, a large number of Questions put to him, he was afraid to say upon how many points, few, if any, of which had anything to do with the Question on the Paper. Short service, the building of the new War Office, the constitution of that Office, and other matters, had been brought forward, which he had great difficulty in connecting with the Notice of the noble and gallant Lord. However, he had no wish to complain, though he felt at rather a disadvantage in having to face the formidable triumvirate of noble and gallant Lords opposite. He did not know whether the noble Viscount opposite (Viscount Cranbrook), or any other noble Lords who had been in Office, would endorse all the statements of his noble and gallant Friends opposite. It appeared to him that the bulk of the speeches was against the Civil constitution of the War Office. That was a question undoubtedly of importance, on which he was not then prepared to enter; and as to the constant change from one Office to another, he must say that he should regret extremely any change at the present time, but he was not so sure that noble Lords on the other side of the House entertained the same opinion. The debate had practically resolved itself into a debate on the merits of long service *v.* short service. The noble and gallant Lord (Lord Strathnairn) had stated that three results had followed the establishment of the short-service system—first, that desertion had increased; secondly, that there was a great deal of fraudulent enlistment; and, thirdly, that there was a deficiency of recruits. He (the Earl of Morley) had already dealt with all those questions over and over again. It had been said that our disasters in South Africa were mainly owing to the number of short-service men. The fact really was that in almost all the actions in South Africa, in which we had suffered reverses, the proportion of old soldiers was very much greater than that of young ones. Then with respect to desertion, from what had been said, you would imagine, unless you looked at the figures, that desertion was the result of the short-service system; but he found that there was but little increase of desertion since that system had been introduced. Those figures showed that, during 10 years of long service, there was more desertion in proportion to recruits than during the same period of short service; and it was to be remembered that a large proportion of desertions took place during the first years of service. He knew his noble and gallant Friend sneered at and despised official statistics; but he had no others to give, and his noble and gallant Friend had given no facts or figures at all in support of his statements. If he would tell him (the Earl of Morley) what other figures he could quote from, he should be happy to know. The noble and gallant Lord was equally inaccurate on the subject of recruiting. It was idle to say that the short-service system was shown to be unpopular by the difficulty of obtaining recruits. It was that difficulty which formed one of the reasons why the old system broke down. The fact was, that so far from short service being more unpopular than long service with the recruits, during the last 10 years of long service, that system had been so unpopular that it was never possible in any single year to keep the Army up to its Establishment. On an average, on the 1st of January every year, it was 4,000 below its proper strength, and in those 10 years there was a total decrease of 39,000 men; whereas since the short-service system had been introduced, with one exception—that of last year—there had been no year in which the Establishment on the 1st of January had not been quite full, whilst almost in all cases it had been considerably more than full. He was not speaking on his own authority only with respect to the long-service system. The Report on Recruiting, in 1867, would give the noble and gallant Lord information on the subject, and he would see that it was a question then whether the whole Army was to collapse for want of recruits. How was the fact to be explained, that, up to the present, they had been able to get an ample number of recruits to fill the Establishment, whereas under the long-service system it had been found impossible? He did not wish to quote figures, but would just mention that up to the year 1870 it was barely possible, except on one occasion, to get more than 15,000 recruits for the year, whereas for the last 10 years the number obtained had varied from 25,000 to 30,000 recruits. There was that number of approved recruits, and when the number of men who offered themselves was reckoned, the comparison was still more favourable. Last year, indeed, there were over 45,000 men desirous of entering the Army. He could not see how any noble Lord could say, after that, that short service had rendered the Army less popular. There was another thing he wished to refer to. His noble and gallant Friend, who had given rise to the debate, had put down a most inaccurate Notice, with a reference to a speech of his right hon. Friend (Mr. Childers) at Pontefract on the 13th of March, 1882. Now, his right hon. Friend the Secretary of State for War could not be in two places at once, and it so happened that he did not speak at all on that day at Pontefract, although he did speak in the House of Commons. If the noble and gallant Lord had read the whole of the speech, he would have seen that his right hon. Friend explained how it was that the 1st Army Corps, at that time, could not be considered in a thoroughly satisfactory state. It was there explained at length that the high establishments of the battalions of the 1st Army Corps—namely, 950 strong, exclusive of depôt battalions—had only been sanctioned a few months before, and the Secretary of State for War was not a wizard who, by a stroke of the pen, could bring up every battalion in the Army to its full strength. Then the noble and gallant Lord, not being satisfied with one inaccuracy, went on to speak of certain battalions of 1,250 strong. Certainly, these must have been evolved out of the noble and gallant Lord's own inner consciousness, for nobody ever proposed to have battalions of that strength. The 12 battalions were to be 950 strong, with depôts varying from 50 to 150. It was also said that the futility of the system was shown by their having to call out the Reserves to fill up the ranks; but he had already said that the plan had only been in existence for five months and had not had time to be fairly tried. On the whole, only 1,500 men of the Reserve were transferred to the 14 battalions which were sent to Egypt; and, indeed, he believed only 1,300 were actually employed in the ranks out of 10,000 who were called out from the Reserve. He hoped that they would now have heard for the last time that the Army sent to Egypt was insufficient, and that it had to be made up with Reserve men. The noble and gallant Earl opposite (the Earl of Longford) alleged that the territorial system had failed, and asserted that the only way to get men into the Army was to enlist them in regiments away from their depôts. If the noble and gallant Earl would refer to the annual Report of the Inspector General of Recruiting, he would find a table, showing the number of men in each regiment who were born in the district to which their territorial regiment was attached. He was at a loss, therefore, to understand how the noble Earl could justify his assertion. The noble and gallant Earl had said that he would, on a future occasion, bring before the House the whole question of the Civil administration of the War Office. Thus he (the Earl of Morley) was relieved from the necessity of entering upon that Constitutional question at the present time. He must, however, disclaim the compliment paid to the Secretary of State for War, for having replaced the short-service system by the long-service system. They intended to make an experiment in order to meet a temporary emergency; but the allegation that they had returned to long service he absolutely denied. Moreover, he denied that the Government, in the changes they had made, had, in any way, departed from the principle upon which short service was based; and he thought it would be a great misfortune if they did so. He felt perfectly certain that they could not get recruits under the old long-service system; whereas under the present system, recruits were actually obtained. The fact that we had in our First Army Reserve 30,000 men who, on all occasions when they had been called out, had come out almost to a man, showed, he ventured to think, in spite of the opinion of the noble and gallant Lord, that they added a great strength to the military power of this country.

THE EARL OF LONGFORD said, that the noble Earl opposite (the Earl of Morley) had made an excellent official explanation; but if he would go down to Aldershot he would be able to see for himself the kind of Army provided by the present system. He was glad to find he had been misinformed with regard to the influence of the territorial system upon recruiting, because he himself had belonged to a regiment which had been unable to get any recruits at all in their own district.

LORD STRATHNAIRN briefly replied.

CRIMINAL LAW AMENDMENT BILL.

(*The Earl of Rosebery.*)

(NO. 128.) REPORT.

Amendments *reported* (according to order).

LORD BALFOUR said, he trusted that, as the measure had now been made applicable to Scotland as well as England, it would be carefully examined by the Law Officers for Scotland, with the view of making its phrases applicable to the Scottish Criminal Law. There were certainly some terms which required alteration, in order to adapt the Bill to the new state of circumstances.

THE EARL OF DALHOUSIE said, the matter had already been before the Government; and, with their Lordships' permission, he would insert Amendments which had been approved of by the Lord Advocate, with the view of adapting the Bill to Scotland.

Clause 2 (Procuring woman under age to be a common prostitute).

THE EARL OF MILLTOWN, in moving, as an Amendment, in page 1, line 8, to insert after the word "woman," the words "under twenty-one years of age," said, this was originally stated in the Bill, but it had been struck out, and as the clause now stood in the amended Bill, it was made a misdemeanour punishable with two years' imprisonment to procure, or endeavour to procure, "any woman" to become a common prostitute. It seemed preposterous to make it a high misdemeanour to endeavour to induce a woman of mature years to become a common prostitute. Prostitution was not a crime. It, to a certain extent, resembled drunkenness. It was a moral offence, of which the police only took notice when it became a public nuisance. He believed that it was originally intended to make the Bill applicable to women under age, and he trusted that the Government would see their way to leave the Bill as it was originally framed.

Amendment *moved,* in page 1, line 8, after ("woman") insert ("under twenty-one years of age.")—(*The Earl of Milltown.*)

The Earl of DALHOUSIE, in opposing the Amendment, said, he would remind their Lordships that they had already discussed and decided the subject in Committee; the limit of age had been struck out, and the clause amended as it now stood. The Government, therefore, saw no reason why they should accept the proposal of the noble Earl opposite (the Earl of Milltown), and depart from the alteration then made. He must deny that the original intention of the Bill was that described by the noble Earl. Although prostitution was not a crime, yet to induce other people to commit it might properly be made an offence.

The Marquess of BATH said, he trusted his noble Friend (the Earl of Milltown) would press his Amendment, and that it would be accepted by the Government. The object of the Bill would be defeated, if this matter was left in such a general shape.

The Earl of CAMPERDOWN said, it would be well if something like uniformity could be introduced in the Bill with regard to the question of age. As the Bill stood, in one clause one age was mentioned, and in other clauses other ages. He would ask whether it would not be advisable to make them alike as regarded the point of age? By accepting the Amendment they would make the want of unifomity still greater.

On Question? Their Lordships *divided:* Contents 60; Not-Contents 28: Majority 32.

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Amendment *agreed to.*

Clause further *amended,* and, as amended, *agreed to.*

Clause 5 (Defilement of girl between twelve and sixteen years of age).

The Earl of MILLTOWN, in moving, as an Amendment, to leave out, in page 2, line 15, the word "being," and insert "who may reasonably be supposed to be," said, he did so with the object of carrying out the agreement expressed by Her Majesty's Government when the Bill was in Committee—

that they would assent to the insertion of words in order to protect persons from charges of offences which they had no intention of committing, and to mitigate the danger of extortion.

Amendment *moved,* in page 2, line 15, to leave out ("being") and insert ("who may reasonably be supposed to be and is.")—(*The Earl of Milltown.*)

Earl CAIRNS said, he objected to the Amendment. It would reduce the elements of the Bill to an absurdity; and, further, he wished to know who was to be the judge of age? His Amendment was, that, before a man could be convicted of seducing a girl, it must be shown, not only that she was under 16, but also that she might reasonably be supposed to be under that age.

The Marquess of BATH supported the Amendment.

Lord FITZGERALD said, the question of age was one which would have to be left to a jury.

The Marquess of SALISBURY said, that this was a matter on which it would not be possible to adopt any steady standard of justice. In his idea, something was necessary in order to guard against and prevent grossly absurd or unjust prosecutions; and, with a view to give that provision, he would suggest that the assent of the Public Prosecutor to the proceedings should be required. If the question went to a division, he should not be able to vote for the Amendment, which did not seem to meet the difficulties of the case.

The Earl of DALHOUSIE said, that the Government were unable to accept the Amendment, as it would make the clause unworkable. According to the Amendment, the jury would have to decide what was the opinion that the offender held as to the girl's age. That was a question which a jury ought not to be asked to decide. The suggestion of the noble Marquess opposite (the Marquess of Salisbury), with regard to the Public Prosecutor, should be considered before the third reading.

The LORD CHANCELLOR said, he also thought that the Amendment of the noble Earl opposite (the Earl of Milltown) would make the clause unworkable; but that the suggestion of the noble Marquess (the Marquess of Salisbury) was worthy of consideration.

Lord BALFOUR said, that he was in favour of the principle of the Bill; but he thought that, unless they took care not to go too far, they might defeat their own object as regarded it. It had been well remarked, that they must take care not to go too much in advance of public opinion on a matter of this kind. He said nothing as to what might be the fate of the Bill in "another place," because he did not think that that was a matter that should weigh with them much; but the consideration that he would like to press upon Her Majesty's Government was, whether they were not running a very great risk of defeating a most laudable object, and of turning public opinion against the Bill, by keeping it so drastic as it had been made on a previous stage.

Earl CAIRNS said, that the suggestion of his noble Friend (the Marquess of Salisbury), that the Public Prosecutor should have to give his assent before prosecutions of this character were instituted, was one that was worthy of consideration.

The Earl of MILLTOWN said, that, as the clause stood at present, a wholly innocent person might be convicted, and that was a terrible possibility. As to the Amendment making the clause unworkable, all the better; for, perhaps, that would be the best thing that could happen.

On Question? Their Lordships *divided:*—Contents 34; Non-Contents 52: Majority 18.

CONTENTS.

Canterbury, L. Archp.
Selborne, E. (*L. Chancellor.*)

Marlborough, D.
Richmond, D.

Brownlow, E.
Cairns, E.
Camperdown, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ducie, E.
Granville, E.
Kimberley, E.
Lathom, E.
Mar and Kellie, E.
Morley, E.
Northbrook, E.
Powis, E.
Redesdale, E.
Selkirk, E.
Shaftesbury, E.
Stanhope, E.

Cranbrook, V.
Hawarden, V.

Bangor, L. Bp.
Carlisle, L. Bp.
London, L. Bp.
Winchester, L. Bp.

Balfour of Burley, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Braye, L.
Carrington, L.
Clinton, L.
Cottesloe, L.
Crewe, L.
Hartismere, L. (*L. Henniker.*)
Hatherton, L.

Leconfield, L.
Loftus, L. (*M. Ely.*)
Monson, L. [*Teller.*]
Monteagle of Brandon, L.
Mount-Temple, L.
Ramsay, L. (*E. Dalhousie.*)
Reay, L.
Ribblesdale, L.
Sandhurst, L.
Stanley of Alderley, L.
Thurlow, L.
Winmarleigh, L.
Wrottesley, L.

NOT-CONTENTS.

Somerset, D.

Bath, M.
Bristol, M.

Ashburnham, E.
Fortescue, E.
Gainsborough, E.
Hardwicke, E.
Lucan, E.
Milltown, E. [*Teller.*]
Mount Edgcumbe, E.
Pembroke and Montgomery, E.
Suffolk and Berkshire, E.

Clancarty, V. (*E. Clancarty.*)
Hill, V.

Chesham, L.
Colville of Culross, L.
Denman, L.
Ellenborough. L.
Fitzgerald, L.
Forester, L.
Foxford, L. (*E. Limerick.*)
Harlech, L.
Hopetoun, L. (*E. Hopetoun.*)
Hothfield, L.
Houghton, L.
Londesborough, L.
Norton, L.
Rowton, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerton, L. (*E. Normanton.*)
Stewart of Garlies, L. (*E. Galloway.*)
Tyrone, L. (*M. Waterford.*) [*Teller.*]
Wemyss, L. (*E. Wemyss.*)

Amendment *disagreed to.*

Clause *amended,* and *agreed to.*

Clause 6 (Consent no defence to charge of indecent assault on girl under sixteen).

LORD FITZGERALD moved, as an Amendment, to reduce the age from 16 to 14. The age mentioned in the clause was 16, and if it were allowed to remain it would completely revolutionize the law, by making it possible to commit assaults with the consent of the person assaulted.

Amendment *moved,* in page 2, line 27, to leave out ("sixteen") and insert ("fourteen.")—(*The Lord Fitzgerald.*)

THE EARL OF DALHOUSIE said, that the Select Committee had recommended that the age should be raised from 13 to 16, and the noble and learned Lord (Lord Fitzgerald) now suggested that it should be reduced to 14. It was, therefore, a question of degree, and he hoped that the decision of the Select Committee would be upheld.

THE MARQUESS OF SALISBURY said, that he wished that a Bill on so unpleasant a subject could have been sent to a Select Committee. He supported the Amendment, on the ground that great injustice might not improbably be done by the Bill as it stood; while, if experience showed that the Amendment made an inadequate provision, the age might be raised on another occasion. He should like to ask noble and learned Lords, whether, as the clause stood, it would not affect a marriage with a girl under 16? Would not the husband of a young girl married at that age be liable to two years' imprisonment under the operation of the law?

THE LORD CHANCELLOR said, in answer to the question of the noble Marquess opposite (the Marquess of Salisbury), he did not think any noble and learned Lord in the House would confirm such a proposition as that advanced by the noble Marquess.

THE MARQUESS OF SALISBURY said, that, at any rate, the word "unlawful" was not contained in the clause, everything approaching it having been struck out; so he thought it was open to the objection he had raised. It would be an act of wisdom to accept the Amendment.

THE BISHOP OF LONDON said, that few questions had produced more Petitions to their Lordships' House than this, and the majority of them asked that the age of consent should be fixed at 18. It would be a grievous disappointment to the persons signing those Petitions if their Lordships reversed the decision to which they had already come on the previous stage of the Bill.

THE DUKE OF RICHMOND AND GORDON said, he should like to know whether the Petitions mentioned by the right rev. Prelate (the Bishop of London) did not really refer to Clause 5, and to an offence more serious than indecent assault, against which only the present clause, as it originally stood, was directed?

THE LORD CHANCELLOR said, it was true that some misapprehension had arisen, because they had introduced into the present clause, which said that consent should be no defence to a charge of indecent assault, an Amendment making consent no defence against the more serious charge under Clause 5; but the present discussion related solely to the offence of indecent assault and the age of consent.

Lord NORTON said, that the only question was, the age at which a girl should be supposed capable of consenting to an indecency which, if she was not considered responsibly consenting, would amount to an assault. The existing law would be unaltered, except as to the raising of the age requiring such protection to 16.

Earl CAIRNS said, it was extremely inconvenient that a question fully discussed in Committee should be raised without Notice, and in the absence of Peers who were specially interested. He would remind their Lordships that, on the former occasion, the Committee were perfectly unanimous upon the point as to raising the limit of age to 16. Anomalies might as easily arise with regard to the age of 14, as with that of 16. Beyond that, the danger of abuse would be averted, as well as a protection against extortion given, by the consent of the Public Prosecutor being required to a prosecution; while, if the age were not lowered, the public would not think their Lordships were serious in dealing with admitted evils.

The Marquess of BATH said, that, in his opinion, their Lordships were perfectly justified in moving Amendments at any stage, particularly as the Bill contained provisions foreign to its main object. He was not sure whether, in the interests of morality, this clause was necessary, seeing that due protection was already given by an earlier clause of the Bill.

The Bishop of CARLISLE, in opposing the Amendment, said, that, in his opinion, it would allow a girl of 15 to consent to the sacrifice of her honour.

The Earl of CAMPERDOWN said, that, although he should support the Amendment, he thought it was unfortunate that it had not been placed on the Paper.

Lord TRURO said, he should support the Amendment of his noble and learned Friend (Lord Fitzgerald). He deplored the introduction of the age of 16 instead of 13; and he believed, when the Bill went to the House of Commons, the latter would be the age fixed. He had ascertained by inquiry made among managers of reformatory and reclamatory institutions and the clergy connected with them that in the great majority of cases—say 99 out of 100—the girls were themselves the seducers and the parties from whom the temptation came.

The Duke of RICHMOND and GORDON said, he understood the noble and learned Earl on the Woolsack to say, on Clause 5, that he would take into consideration the question whether it was not desirable that the assent of the Public Prosecutor should be required in all cases under that clause. Would the noble and learned Earl also consider the propriety of requiring that such assent should be obtained in regard to all offences under this clause?

The LORD CHANCELLOR said, the noble Earl in charge of the Bill (the Earl of Dalhousie) had stated that the Government would consider the suggestion made by the noble Marquess. He had no doubt his noble Friend would agree with him that the Proviso, if adopted, might be extended to the other clause as well.

The Marquess of SALISBURY said, that, in his opinion, it would be more convenient for their Lordships to reserve their decision on this point until the third reading. They would then go to a Division, knowing much better what they were about. In the meantime the Government could consider whether, in every case prior to a prosecution, the consent of the Public Prosecutor should not be obtained. On that understanding, he would recommend the noble and learned Lord opposite (Lord Fitzgerald) not to insist upon the acceptance of the Amendment at present.

Lord FITZGERALD said, he would assent to this suggestion of the noble Marquess opposite (the Marquess of Salisbury).

Amendment (by leave of the House) *withdrawn.*

Clause *amended,* and *agreed to.*

Lord MOUNT-TEMPLE proposed a penalty to deter men from using their authority and trust for the ruin of their dependents, and moved, after Clause 6, page 2, line 35, to insert as a new clause—

"Any person who, being the guardian of a girl under the age of eighteen years, or having the care and charge of her, or being her master in domestic service or other employment, or any other person whose lawful commands in such service or employment she is bound to obey, unlawfully and carnally knows or attempts to have unlawful and carnal knowledge of, or indecently assaults such girl with or without her consent, shall be guilty of a misdemeanor, and being convicted thereof shall be liable at the discretion of the court to be imprisoned for any term not exceeding two years, with or without hard labour."

THE EARL OF DALHOUSIE said, he hoped his noble Friend (Lord Mount-Temple) would not press the clause. It seemed to him that the Bill was already sufficiently weighted without it.

Clause (by leave of the House) *withdrawn.*

Clause 7 (Householder, &c. permitting defilement of girl under sixteen on his premises guilty of misdemeanor).

LORD MOUNT-TEMPLE, in moving, as an Amendment, to insert words, providing that the clause might be put in operation by—

"Any parent, relative, or guardian of any such girl, or any other person, who, in the opinion of the justice, was *bonâ fide* acting in the interest of any such girl,"

said, there was no reason for excluding the friends of the girl from giving evidence to the magistrate.

Amendment *moved,*

In page 3, line 6, after ("rank") insert ("or any parent, relative, or guardian of any such girl or any other person, who, in the opinion of the justice, is *bonâ fide* acting in the interest of any such girl.")—(*The Lord Mount-Temple.*)

THE EARL OF DALHOUSIE said, he would accept the words now proposed, and would propose to add to them, "or any two householders."

Amendment (*The Earl of Dalhousie*) *disagreed to.*

Amendment (*The Lord Mount-Temple*) *agreed to.*

On the Motion of The Earl of MILLTOWN, the following Amendments made:—In page 3, line 20, leave out ("committed") and insert ("charged"); and in line 21, after ("trial") insert ("and may also order such girl to be sent to a certified home within the meaning of this Act").

Clause, as amended, *agreed to,* with further Amendments.

Clause 8 (Abduction of a girl under eighteen years of age).

THE EARL OF MILLTOWN moved, as an Amendment, the insertion of words providing that such girl should be taken away for immoral purposes to constitute it an offence. As the clause stood, a person who made a runaway marriage would be subjected to the punishments mentioned in the Act.

Amendment *moved,* in page 3, line 33, after ("take") insert ("away for immoral purposes.")—(*The Earl of Milltown.*)

THE LORD CHANCELLOR said, he would accept the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 (Summary proceedings against brothel keeper, &c.).

THE MARQUESS OF BATH, in moving the omission of the clause, the first of those which dealt with brothels and brothel keepers, said, they were an attempt to go beyond what legislation could usefully attempt, and to deal with questions which should be left entirely to the sphere of morals. The effect of those clauses would be to drive prostitution into our streets. The attempts to put down brothels had, by driving women on the streets, already made our streets a scandal and reproach to all civilized countries. They might, by law, suppress the exhibition of vice and immorality, but suppress it altogether they never could, for it never had been done. They would, most likely, make it more general; and, in addition, they would make the annoyance of respectable householders more likely. In countries where outward decency was preserved vice and immorality yet prevailed to a great extent. He asked their Lordships to consider whether it was wise or prudent to legislate in the manner proposed by these clauses. There were ample means provided, under the existing law, for suppressing the evils aimed at by them.

Moved, "To leave out Clause 9."—(*The Marquess of Bath.*)

LORD NORTON said, that the noble Marquess who had last spoken (the Marquess of Bath) did not seem to remember that the object of the Bill was not only to suppress brothels as dens of immorality, but also to put some check on tyrannical proceedings to which some wretched girls about the town were subject. At present, a parent whose daughter was concealed in a brothel had no efficient legal means of recovering her. Brothels were illegal; and they ought either to repeal that law, or else to provide efficient means for carrying it out. The Bill enabled the authorities to carry out the existing law more efficiently. Quite enough would still escape to satisfy the most liberal demand.

The Earl of CAMPERDOWN said, he also agreed with the noble Marquess (the Marquess of Bath) in objecting to these clauses, and he did so, because they went a great deal further than the Report of the Select Committee of their Lordships with reference to the protection of young girls. By putting these clauses into the Bill, and sending them to "another place," he believed that they would be giving a proof that they had given way to good feelings at the expense of common sense. He believed the Government proposed to do more than they could, by any possibility, carry out, for it would be found very difficult, if not almost impossible, to enforce the provisions of these clauses, or to attempt to put down immorality by legislation, such as was proposed. In the other House, the Government had given up the Contagious Diseases Acts; yet now, in these clauses, they were interfering in the most decided manner with the liberty of people.

The Earl of DALHOUSIE said, he must ask their Lordships not to agree to the Motion of the noble Marquess opposite (the Marquess of Bath). The law already made brothels illegal, and said that they should be put down. But, as a general rule, the law was not put in motion, because "what was everybody's business was nobody's business;" and the object for which these clauses had been inserted was to enable it to be worked efficiently.

Lord TRURO said, he would support the Motion of the noble Marquess (the Marquess of Bath), because he believed that legislation of this character was always ineffectual and undesirable.

Lord MOUNT-TEMPLE said, that brothels and disorderly houses were a nuisance by law and by public opinion; but the existing enactments failed in their execution. These temptations to vice and disease ought not to continue unchecked in spite of the law. He hoped their Lordships would not agree to the Motion, for, in his opinion, it would be a great pity not to increase the powers of the law, so as to enable these improper houses to be put down.

The LORD CHANCELLOR said, that the supporters of these clauses desired to see them adopted, not because they wished to do impossible things, but for the purpose of suppressing those dens of vice which the law already stigmatized, but to cope with which the means now provided by the law were insufficient.

The Duke of RICHMOND and GORDON said, he felt himself compelled, after much hesitation, to support the Amendment of his noble Friend (the Marquess of Bath). He thought it would be advisable to strike the clause which was under consideration out of the Bill; for, if it were omitted, the chances that the measure would be well received in the other House would be greatly increased. In his opinion, it was very objectionable that the places described in the clause were to be put down, not at Quarter Sessions, but in virtue of the powers contained in the clause.

Lord STANLEY of ALDERLEY said, he had often heard from one of Her Majesty's Diplomatic Agents that legislation similar to these clauses had once been carried out at Berlin; but that it had caused such great disorders and risks to respectable women, that in about 10 days after the law had been put in force it had to be repealed.

Lord DENMAN said, that, according to the evidence before the Select Committee, there had been much difficulty in rescuing girls from foreign brothels. He thought the police ought to have power to enter them at the instance of parents of girls; but, even if the Bill were deprived of power over brothels, it would still be a good Bill for England.

On Question, "That Clause 9 stand part of the Bill?"

Their Lordships *divided:*—Contents 28; Not-Contents 26: Majority 2.

CONTENTS.

Canterbury, L. Archp.
Selborne, E. (*L. Chancellor.*)

Derby, E.
Granville, E.
Morley, E.
Northbrook, E.
Redesdale, E.
Shaftesbury, E.

Bangor, L. Bp.
Carlisle, L. Bp.
London, L. Bp.
Winchester, L. Bp.

Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Braye, L.
Carrington, L.

Clinton, L.
Crewe, L.
Denman, L.
Hatherton, L.
Monson, L. [*Teller.*]
Monteagle of Brandon, L.

Norton, L.
Ramsay, L. (*E. Dalhousie.*)
Ribblesdale, L.
Sandhurst, L.
Thurlow, L.
Wrottesley, L.

NOT-CONTENTS.

Richmond, D.

Bath, M. [*Teller.*]

Ashburnham, E.
Camperdown, E.
Hardwicke, E.
Milltown, E.
Mount Edgcumbe, E.
Pembroke and Montgomery, E. [*Teller.*]
Powis, E.
Stanhope, E.
Suffolk and Berkshire, E.

Hill, V.

Chesham, L.
Clements, L. (*E. Leitrim.*)

Foxford, L. (*E. Limerick.*)
Hartismere, L. (*L. Henniker.*)
Hopetoun, L. (*E. Hopetoun.*)
Leconfield, L.
Ormathwaite, L.
Rowton, L.
Shute, L. (*V. Barrington.*)
Somerton, L. (*E. Normanton.*)
Stanley of Alderley, L.
Truro, L.
Tyrone, L. (*M. Waterford.*)
Wemyss, L. (*E. Wemyss.*)

Resolved in the *affirmative.*

THE EARL OF CAMPERDOWN gave Notice that he should move the omission of the clause, as also Clauses 10 and 11, on the Motion for the third reading.

Clause 12 (Amendment of 2 & 3 Vict. c. 47, s. 54, and 10 & 11 Vict. c. 89, s. 28, as to prostitutes).

THE EARL OF SHAFTESBURY, in moving an Amendment for the purpose of extending the operation of the clause to the case of every man who, in a public thoroughfare or public place, "importunes or solicits girls or women for immoral purposes," said, it was most unjust to leave one class at liberty and the other not. If this was a Bill for the protection of young women, this Amendment was absolutely necessary. A number of young girls were sent out to work in factories and workshops, and having to return home late at night were exposed to every kind of danger, solicitation, and annoyance. If their Lordships would listen to the cry of tens and hundreds of thousands of mothers, and to the representations of the girls themselves, who knew the risks to which they were exposed, they would accept the Amendment.

Amendment *moved,*

In page 6, line 7, after ("prostitution") insert ("and (2) every man who in any such thoroughfare or public place importunes or solicits women or girls for immoral purposes.")—(*The Earl of Shaftesbury.*)

THE EARL OF DALHOUSIE said, he was sorry he could not accept the Amendment of his noble Friend (the Earl of Shaftesbury), for the reason that it was too dangerous to introduce into the Bill, and would lead to too much abuse.

THE LORD CHANCELLOR said, that it was impossible not to sympathize with the object of his noble Friend (the Earl of Shaftesbury); but the effect of the acceptance of the Amendment might be that if any man—one of their Lordships themselves, for instance—spoke to a woman in the street, even from a charitable motive, he might be liable to be charged, by a designing or unscrupulous person, with the offence of importuning or soliciting.

On Question? Their Lordships *divided:*—Contents 11; Not-Contents 28: Majority 17.

CONTENTS.

Canterbury, L. Archp.

Shaftesbury, E. [*Teller.*]

Bangor, L. Bp.
Carlisle, L. Bp.
London, L. Bp.

Winchester, L. Bp.

Blantyre, L.
Braye, L.
Crewe, L.
Denman, L.
Norton, L. [*Teller.*]

NOT-CONTENTS.

Richmond, D.

Bath, M.

Camperdown, E.
Derby, E.
Granville, E.
Morley, E.
Northbrook, E.
Powis, E.
Stanhope, E.
Suffolk and Berkshire, E.

Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Carrington, L.
Clinton, L.
Foxford, L. (*E. Limerick.*)

Hartismere, L. (*L. Henniker.*)
Hopetoun, L. (*E. Hopetoun.*)
Monson, L. [*Teller.*]
Ramsay, L. (*E. Dalhousie.*)
Ribblesdale, L.
Sandhurst, L.
Shuute, L. (*V. Barrington.*)
Somerton, L. (*E. Normanton.*)
Stanley of Alderley, L.
Thurlow, L.
Truro, L.
Tyrone, L. (*M. Waterford.*)
Wemyss, L. (*E. Wemyss.*)
Wrottesley, L.

Resolved in the *negative.*

Clause *agreed to,* with Amendments.

Clause 13 (Certified homes for girls under sixteen convicted of prostitution), *amended,* and *agreed to.*

Bill to be read 3ª on *Thursday* next, and to be *printed* as amended. (No. 134.)

PARLIAMENT—PRIVATE BUSINESS—STANDING ORDER No. 128.

RESOLUTION.

Moved, That in the Journals for the 26th of June the following passage be omitted :

"Then it was moved, That it is not desirable to alter Standing Order No. 128., or to substitute for Standing Order No. 128. a new Standing Order (*The Lord Auckland*); after debate agreed to;"

and that in substitution thereof the following words be inserted :

"Then it was moved That the further consideration of the proposed alterations in Standing Order No. 128. be not proceeded with; agreed to."

The said Motion *agreed to.*

House adjourned at half past, Eight o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 29th June, 1883.

The House met at Two of the clock.

MINUTES.]—SUPPLY—*considered in Committee—Resolutions* [June 28] *reported.*

PUBLIC BILLS — *Ordered* — *First Reading* — Electric Lighting Provisional Orders (No. 10) (Chiswick, &c.) * [249]; Electric Lighting Provisional Orders (No. 11) (Dundee) * [250]; Local Government Board (Scotland) [251]; Local Authorities (Removal of Disqualification) * [252].

Second Reading—Poor Relief (Ireland) [154].

Committee — Parliamentary Elections (Corrupt and Illegal Practices) [7] [*Eleventh Night*]—R.P.

Third Reading—Local Government (Ireland) Provisional Orders (No. 2)* [211], and *passed.*

QUESTIONS.

NAVY—THE MEDITERRANEAN SQUADRON.

MR. GOURLEY asked the Secretary to the Admiralty, Under whose authority the Mediterranean Squadron is now visiting a number of Adriatic Ports, and for what object, whether by way of international courtesy or for the purpose of improving the navigating knowledge of the officers?

MR. CAMPBELL-BANNERMAN: Sir, the Mediterranean Squadron is engaged, under the orders of the Board of Admiralty, in its summer cruise, which is undertaken for the purpose of exercising the officers and men in fleet evolutions and manœuvring. The visits made in the course of the cruise to various ports afford an opportunity for the exchange of international courtesies.

IRELAND—PAUPER EMIGRANTS TO THE UNITED STATES.

MR. JOSEPH COWEN asked the Under Secretary of State for Foreign Affairs, If the Government of the United States has made any remonstrance or representation to Her Majesty's Government concerning the sending of pauper emigrants to America?

LORD EDMOND FITZMAURICE: No, Sir; no remonstrance or representation on the subject has been received by Her Majesty's Government.

PARLIAMENT—PUBLIC BUSINESS—HIGHER EDUCATION IN WALES BILL.

MR. STANLEY LEIGHTON asked the Vice President of the Council, Why the Bill for the Higher Education in Wales, mentioned in the Queen's Speech, has not yet been printed?

MR. MUNDELLA: Sir, the Welsh Bill has not been printed because it has not yet been introduced. The Bill is ready, and I propose to introduce it as soon as I see any prospect of making progress with it.

LAW AND JUSTICE—DORMANT FUNDS IN CHANCERY.

MR. STANLEY LEIGHTON asked the Financial Secretary to the Treasury, If he will lay upon the Table of the House the draft form in which the amended list of Dormant Funds in Chancery will be published in future?

MR. COURTNEY: Sir, I do not think it necessary or desirable to lay on the Table the headings under which the new list will be prepared; but when they are finally settled I will show them to the hon. Member.

EGYPT—OMAR PASHA LUFTI.

Lord RANDOLPH CHURCHILL (for Mr. Gorst) asked the Under Secretary of State for Foreign Affairs, Whether his attention has been drawn to a Reuter's Telegram from Alexandria, dated the 25th of June, to the effect that—

> "The functionaries of the different consulates have voted addresses to Omar Pacha Lufti in recognition of the real services rendered by him as Governor of Alexandria on June 11th 1882, the day of the massacre;"

and, whether the functionaries of the British Consulate took part in this address; and, if so, whether they acted on instructions from the Foreign Office or with the permission of the Foreign Office?

Lord EDMOND FITZMAURICE: The Foreign Office have no information whatever with regard to this matter.

Lord RANDOLPH CHURCHILL: Perhaps the noble Lord will be good enough to say whether he will at once seek information?

Lord EDMOND FITZMAURICE: It is very possible we may shortly have a despatch from Sir Edward Malet in which this matter may be referred to.

Lord RANDOLPH CHURCHILL: I, or rather my hon. and learned Friend the Member for Chatham (Mr. Gorst), will repeat the Question on Monday. Then we shall expect to have an answer.

ARMY—BARRACKS AT NEWCASTLE-ON-TYNE.

Earl PERCY asked the Secretary of State for War, Whether he is aware that the barracks which have lately been erected at Newcastle on Tyne contain no bath room for the use of the men; whether it is a fact that a board of officers has reported that a bath room is necessary; and, whether, inasmuch as the head quarters of several Militia regiments are shortly to be transferred to Newcastle, he will give directions for the erection of a bath room without delay?

The Marquess of HARTINGTON: Sir, it has been recommended that a bath room should be provided in the new barracks at Newcastle-on-Tyne, and steps are now being taken to carry out the service.

SOUTH AFRICA—THE TRANSVAAL—THE CHIEF MAPOCH.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for the Colonies, Whether Unyabelu (called Mapoch) is now beseiged and hard pressed by the Boers; whether having sent to ask a promise that he should not be hanged in case of surrender, the Boers have refused to accept anything but an unconditional surrender; whether this same chieftain during the Transvaal War, when the British garrison of Lydenburgh were hard pressed, set out with several thousand men, at the request of Captain Ritter of the Border Police, and was only prevented from attacking the Boers by the news of the Capitulation; and, whether, after these offered services, Her Majesty's Government will not at least intercede with the Boers for the life of their friend? The hon. Member added, that he thought he ought to state that the information referred to in the third paragraph of the Question came from Downing Street.

Mr. EVELYN ASHLEY: Sir, we know Mapoch is besieged; but how far he is hard pressed is uncertain. We have no official information as to the second Question. The third Question I have already twice answered to the hon. Member, and I do not think the observation of the hon. Member calls for any further remark.

Mr. ASHMEAD-BARTLETT: Is it true?

Mr. EVELYN ASHLEY: As to the fourth Question, all I can say is that I hope, as I believe, that unless murder is proved against Mapoch, the Transvaal Government would not make him forfeit his life should he fall into their hands; but without fuller information the Government do not propose to make representations in the matter.

Mr. ASHMEAD-BARTLETT: As the hon. Gentleman says the Government has no information, and, as far as I can make out, they do not intend to ask for any, I should like to ask, do they intend to wait until this unfortunate man is hanged before they do anything, as was the case with Suleiman Sami?

Mr. EVELYN ASHLEY: No, Sir; if we take any steps we shall not wait till he is hanged.

Afterwards,

MR. ASHMEAD-BARTLETT asked whether the facts stated in the third paragraph of his Question were not accurate?

MR. EVELYN ASHLEY said, he had twice supplied the hon. Member with the facts in regard to Mapoch's offer of assistance to the British troops. Captain Ritter, of the Border Police, no doubt communicated with Mapoch, inquiring if he would come to the assistance of the besieged British troops, and Mapoch expressed his willingness to do so. But whether the action of Captain Ritter would have been sanctioned by his superiors, the hon. Member must be left to judge, seeing that Mapoch's offer of assistance had been refused previously by superior officers. There was no information that Mapoch had started for the relief of Lydenburgh. It was not likely he had done so, because 48 hours after the communication referred to came the news of the cessation of hostilities.

AFGHANISTAN—REPORT OF CAPTURE OF CONVOY.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether it is a fact that a convoy of arms and ammunition sent by the Viceroy of India to the Amir of Afghanistan has been captured, after a sharp fight in the Kyber Pass, by the Afridis; and, if so, who .composed the escort, and what is the value of the munitions captured?

MR. J. K. CROSS: If the hon. Member will repeat his Question on Monday I hope then to be able to answer him. I may say that if the matter had been considered important by the Government of India, they would, no doubt, have given us full particulars by telegraph.

EDUCATION DEPARTMENT — ENTERTAINMENTS FOR SCHOOL CHILDREN (PRECAUTIONS).

MR. W. H. JAMES asked the Vice President of the Council, Whether, in view of the recent disaster at Sunderland, any steps will be taken by the Education Department to instruct or caution school managers to insure the due supervision and care of school children brought together in large numbers for the purpose of entertainment in theatres, public buildings, or other similar places for popular public amusement?

MR. MUNDELLA: Sir, if the managers of schools cannot of themselves read the lesson taught by the terrible disaster at Sunderland, I am afraid that no Circular from the Education Department, in a matter which is outside of our jurisdiction, will induce them to do so. But I do not understand that the children attended the entertainment collectively as scholars of public elementary schools. If they had done so, the managers and teachers would have been responsible, not only for their good conduct, but for their safety. The objectionable feature of the case was, as I understand, that the giver of the entertainment was allowed to go the rounds of the schools in the town to tout for the sale of tickets to individual scholars. This ought, under no circumstances, to have been allowed; and I trust that the recent catastrophe will prevent the recurrence of such an objectionable practice. The Department is considering whether a paragraph cannot be inserted in the Code calling the attention of managers to the importance of children not being taken to any entertainment, school treat, or excursion, unless they are under proper guidance and control.

POST OFFICE—POST OFFICE SAVINGS BANKS.

MR. KENNARD asked the Postmaster General, Whether, since the death of the late Controller, the authorities of the Post Office Savings Banks have issued nearly two millions of receipts and orders for repayment bearing his signature; and, whether the signature of a dead man is considered a valid receipt in Savings Bank business; and, if not, whether either the Postmaster General or Mr. Cardin was aware of the issue of these documents?

MR. FAWCETT: Sir, in reply to the hon. Member, I may state that no possible inconvenience can result to the depositors from using the printed forms containing the signature of the late Controller until his successor was appointed. As it was possible that there would be considerable delay in filling up the appointment of Controller, instructions were recently given that the forms should be stamped with the name of the Assistant Controller. A new appointment has, however, been made to the post of Controller, and printed forms bearing his signature will be got ready with the least possible delay.

Mr. KENNARD: I should like to ask the right hon. Gentleman whether legal opinion has been taken with regard to the validity of these documents, in case of fraud, being admissible as evidence?

Mr. FAWCETT: I showed the answer I have just given to the Solicitor to the Post Office, and he said I was perfectly right in stating that no inconvenience could arise.

Mr. KENNARD: I am sorry to press the right hon. Gentleman—the question is whether these forms are or are not admissible as evidence in cases of fraud?

Mr. FAWCETT: I can only say I have consulted the Solicitor to the Post Office, and I answer on his authority. The hon. Member seems to forget that these printed forms which are sent out are merely formal, and it has been several times proposed that they should be abolished. What really is important is the entry in the depositor's book.

Mr. KENNARD: Are they admissible in evidence? I must press the Postmaster General to answer that—— [*Cries of* "Order!"]

Mr. SPEAKER: The right hon. Gentleman has already answered the Question.

Mr. E. STANHOPE: Who is the new Controller?

Mr. FAWCETT: Mr. Compton, the gentleman who has for many years been the Assistant Controller. He was appointed last Monday.

Mr. MACFARLANE (for Mr. Gray) asked the Postmaster General, Whether it is a fact that the postage on a newspaper to Newfoundland, the oldest British Colony, and the nearest American land to England, is one penny, while the postage to Canada is only one halfpenny?

Mr. FAWCETT: There is not, Sir, as the hon. Member supposes, a difference in the postage on newspapers to Newfoundland and Canada. As stated in *The Post Office Guide*, the postage on newspapers, both to Newfoundland and to Canada, is ½*d*. for each paper not exceeding two ounces in weight, and 1*d*. for each newspaper over two ounces, and not exceeding four.

IRELAND—STATE-AIDED EMIGRATION TO CANADA.

Mr. J. LOWTHER: I wish to ask a Question of the Government; but, if they prefer it, I will give Notice of it. It is, Whether they will have any objection to lay on the Table of the House the answer, if any, sent to the Despatch of the Governor General of the Dominion of Canada, which enclosed a Memorandum to which I yesterday referred from the Privy Council of the Dominion of Canada, making a specific offer to cooperate with Her Majesty's Government in some well-devised scheme for promoting emigration from Ireland to portions of the Dominion, and further to co-operate in the furtherance of proper arrangements for their transit, and also for their reception in Canada on arrival? I wish to ask the Government whether they have any objection to lay on the Table the answer sent to that Despatch, and also to any other proposals which have been made by responsible authorities other than the Canadian Government in regard to any proposal to facilitate emigration?

Mr. GLADSTONE: Sir, as to proposals from responsible authorities other than the Canadian Government, that is a subject on which I shall be glad to have Notice of the Question. With regard to the answer to the Despatch referred to by the right hon. Gentleman, that, unless I am much mistaken, has been already laid on the Table.

Mr. J. LOWTHER said, he hoped that the right hon. Gentleman at the head of the Government, when making his arrangements between now and Monday relating to the despatch of the Business before the House, would be good enough to take care that some opportunity should be afforded him, either on the Estimates or in some other way, of bringing that very important subject under the notice of the House.

EGYPT—THE ARMY OF OCCUPATION—PRECAUTIONARY MEASURES AGAINST CHOLERA.

Viscount FOLKESTONE: On behalf of my hon. Friend the Member for Wilton (Mr. Sidney Herbert), I wish to ask the Secretary of State for War a Question of which he has already given him private Notice, Whether there is with our troops in Egypt a sufficiently large staff of medical officers and sufficient supply of medicines to cope with a possible serious outbreak of cholera among them; and, if not, whether the War Office will send out an adequate medical staff together with the requisite medicines to meet that possible contingency?

THE MARQUESS OF HARTINGTON: Sir, there is a sufficient staff of medical officers in Egypt to meet all probable requirements; and a reserve of medical officers is in readiness to proceed there if necessary. The supply of medicines in Egypt is ample, and addition will be made to the supplies now in course of shipment of any articles which may seem likely to be useful in the event of an outbreak of cholera among the troops. Instructions have been sent to the General Officer to take every possible precaution to avert an outbreak of cholera among the troops, calling attention specially to the Indian Regulations on the subject; and a reply has been received that these instructions had been already anticipated, and that there was no immediate apprehension regarding the troops.

EGYPT—LAW AND JUSTICE—TRIAL OF SAID BEY KHANDEEL—COMPLICITY OF THE KHEDIVE AND ARABI PASHA.

MR. LABOUCHERE: Perhaps the noble Lord the Under Secretary of State for Foreign Affairs will be able to answer this Question now, although I have not given him Notice of it. It is, Whether any information has been received other than that which appears in the public Press with regard to a telegram from Arabi Pasha to Said Bey Khandeel, implicating the former in the massacres at Alexandria, which it has been alleged by the Egyptian Public Prosecutor has been discovered; and whether, considering that the noble Lord the Member for Woodstock (Lord Randolph Churchill) has stated in the House that the Khedive himself was the instigator of the massacres, and that he has undertaken to prove that charge, any steps will be taken by Her Majesty's Government to see that Said Bey Khandeel, now on his trial for being connected with the massacres, will be allowed to put questions to witnesses for the prosecution, and to call witnesses on his behalf, with a view of proving his own innocence by endeavouring to show that the massacre was instigated by others, and that he himself acted under superior orders?

LORD EDMOND FITZMAURICE: This Question raises a great number of complicated issues, and I think it is only fair that the hon. Member should give Notice, and put the Question on Monday, when there will, no doubt, be a full and satisfactory answer given to it.

MR. LABOUCHERE: I will put it on Monday.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.

MR. A. ELLIOT: I should like to ask the Home Secretary, Whether he will proceed with the Bill to-night which deals with Scotch Business, or whether it is to be taken on Monday?

SIR WILLIAM HARCOURT: I hope to go on with it to-night. Members will, no doubt, like to see the Bill; and, therefore, I will bring it in to-night, in order that it may be printed.

ORDER OF THE DAY.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

COMMITTEE. [*Progress 26th June.*]

[ELEVENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Illegal Practices.

Clause 6 (Certain expenditure to be illegal practice).

Amendment proposed,

In page 3, line 28, after the word "Act," to insert the words:—"Any person who shall lend his own carriage, or provide other carriages to convey voters to or from the poll shall be guilty of an illegal practice, but this shall not prevent any person using his own carriage for the conveyance of himself and any other person in company with him to vote."—(*Mr. Joseph Cowen.*)

Question again proposed, "That those words be there inserted."

MR. LABOUCHERE said, he quite admitted that the Attorney General had great difficulty in framing a clear definition with regard to the conveyance of voters; but he thought they must have some sort of restriction placed upon the practice of lending carriages to be used systematically in order to carry electors to the poll. The Attorney General would probably remember the fact that this was a moot question at the time of the last Reform Bill. He (Mr. Labouchere) recollected that there existed then a very strong feeling that the conveyance of voters to the poll ought to be made an illegal practice; but this was not carried, because it was felt by a large number of county Members that they would be placed at a very great disadvantage if the lending of carriages were prohibited, because, as a matter of fact, the people who owned private carriages in the majority of cases were Conservatives. He was certain that if there were what might be called a carriage franchise there would not be so many Liberals sitting in that House, while certainly there would be exceedingly few Radicals. There was no doubt it was an enormous advantage to a candidate to be able to send electors to the poll in carriages. He did not mean to say that a man who was taken to the poll in a carriage would vote for the candidate who conveyed him there; but it was probable that, under the circumstances, he might not vote at all. Speaking as a borough Member, he could say that, as a rule, the Conservatives in the neighbourhood of his borough sent in a large number of carriages which were systematically used to carry electors to the poll, and that practice was not confined entirely to the more wealthy class, because, as the hon. Member for Burnley (Mr. Rylands) had told them, in the borough which he represented, all the butchers were Conservatives, and lent their carts for the purpose of taking people to the poll to vote for the Conservative candidate. From the Conservative point of view, he regarded it as perfectly right to vote against any restriction being placed on the lending of carriages; his difficulty was in understanding how Members of the Liberal Party could vote against such restriction. It was a clear advantage to the Conservatives, but it was a clear disadvantage to the Radicals. Hon. Members knew this very well. He was speaking to Gentlemen, every one of whom had taken part in elections, and when it was seen that the Conservatives all rallied to oppose the Amendment of his hon. Friend the Member for Newcastle (Mr. J. Cowen), they all knew it was very much to their interest that the 6th clause should not be passed in its present form. They might take it also as a matter of fact that when Radical Members voted for it, it was equally for their interest that the clause should be altered. Carriages were used at elections purely for Party purposes. There were more Conservatives than Liberals, and very few Radicals at all, who had carriages; and consequently the clause, in its present shape, would give an advantage to Conservatives as against Liberals, and an advantage to Liberals as against Radicals. He trusted the Attorney General would make some concession in this matter. He did not want to pin his vote to the Amendment of the hon. Member for Newcastle, and he was quite sure that if the hon. and learned Gentleman would intimate his willingness to accept the Amendment of the hon. Member for Great Grimsby (Mr. Heneage), his hon. Friend would, with the view of not impeding the progress of the Bill, be quite willing to withdraw the present proposal. But there must be some restriction placed upon the systematic lending of carriages in large numbers by candidates or committees, because hon. Gentlemen on those Benches could not understand what was the distinction between the case of a man being allowed to lend a dozen or 20 carriages to a candidate, and the candidate himself being allowed to hire them. The lending and hiring of carriages for electoral purposes appeared to them to be precisely the same thing in principle, because it gave a distinct advantage to the rich man over the poor man.

Mr. E. STANHOPE said, he was sure the Committee would have heard with regret the tone in which the hon. Member for Northampton had just spoken. The hon. Member, no doubt, expected, by his mode of treating this question, to obtain a few additional votes; but it must be evident to hon. Members opposite that if the rest of the Bill were to be discussed in the same spirit, there would be little chance of its being finished for some time. For his own part, he should not imitate the example of the hon. Member. They were asked to prevent a man lending his carriage to a neighbour for the purpose of taking him to the poll. But, he asked, was there any corruption in a man lending his carriage for that purpose? [Mr. Labouchere: Hear, hear!] If that was the opinion of the hon. Member he did not think it would be useful to take up more time in the hopeless attempt to convince him to the contrary. But there were persons outside that House who were not of his opinion; persons who looked upon the proposal of the hon. Member for Newcastle (Mr. J. Cowen) as an attempt to interfere with individual liberty. He trusted it would never be said that a person who acted in good faith should not be allowed to convey a voter to the poll in his own carriage. As the question had been fully discussed, he had no wish to detain the Committee any further than to say that if the Amendment of the hon. Member for Newcastle were carried, it would very much influence his views with regard to the Bill as a whole.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he could not think that the tone in which the hon. Member for Northampton had supported the Amendment was calculated to facilitate the progress of the Bill. If the adoption of that Amendment had been a matter of difficulty before, the speech of his hon. Friend had made it impossible. But, looking at the principle which the Amendment of the hon. Member for Newcastle contained impartially, and without any Party view of the question, he was bound to say it was one which Her Majesty's Government could not accept. The 6th clause had now been under consideration for three days, and the whole subject of conveyance had, in his opinion, been very fully discussed. Under those circumstances, he hoped the Committee might be allowed to come to a decision on the present Amendment without the expenditure of further time. The object of the Government in introducing this clause was two-fold; first, they wished to prevent corruption as it was accomplished by the hiring of carriages; secondly, they wished to prevent the incurring of great expense, because in the matter of expenditure the rich candidate had a great advantage over the poor one. But when it was proposed to make it the law that a man should not be permitted to lend his carriage—where, he asked, would that principle end? He thought the corruption involved in a man taking another to the poll under such circumstances was of very small extent, and certainly there was no increase of expense occasioned. Voluntary effort could not be checked. If a man possessed a large amount of eloquence, of talent, or influence, it was impossible to prevent his using them in furtherance of his own candidature. There was one view of the question, however, which he would lay before the Committee, which he hoped would meet the objection taken by hon. Gentlemen opposite, and which he would himself wish to see carried out. After the speech of the hon. Member for Northampton (Mr. Labouchere), it was rather difficult to propound that view to the Committee, seeing that his hon. Friend had spoken from a Party point of view. But he could assure the Committee that the suggestion he had to make had nothing of a Party character about it. A person might possess 40 or 50 carriages, and it was possible he might say to a candidate—"I will lend you all my carriages; I ask no payment to-day." That proposal might be accepted, and thus, by the indirect action of the person who owned the carriages, there would be a preponderance of carriages on one side; and although there might be no payment at the time, yet, sooner or later, the candidate, or other persons on his behalf, would be asked to make good the cost. To guard against that he had thought it right to prepare a sub-section, to the effect that—

> "A person shall not let, lend, or employ for the purpose of the conveyance of electors to or from the poll any public, stage, or hackney carriage, or any horse or other animal kept or used for drawing the same, or any carriage horse or other animal which he keeps or uses for the purpose of letting out for hire, and if he lets, lends, or employes such carriage, horse or other animal, knowing that it is intended to be used for the purpose of the conveyance of electors to or from the poll."

A person acting contrary to this provision would be guilty of an illegal practice, and liable to the penalties provided. There would be a Proviso to the effect that nothing in this sub-section would apply to any carriage horse or other animal lent to a person for the purpose of conveying himself to the poll. The whole object of the proposed sub-section was to prevent that which was really objectionable in the conveyance of persons to the poll—namely, the employment of carriages and animals with the probability of their being paid for by-and-bye. He trusted that this proposal would commend itself to hon. Members on both sides of the House, as affording a solution of the difficulty that had been so long under consideration.

Sir R. ASSHETON CROSS said, he was not going to discuss the proposal of the hon. and learned Attorney General on that occasion. His object in rising was to say that the question of conveyance had now been before the Committee for three days; and he looked upon it as rather extraordinary that, at the last moment, a new sub-section dealing with the subject should be produced by the Attorney General. He thought that there had been ample time, during the three days' discussion which had taken place, for the Government to have made up their minds. For his own part, he altogether objected to discuss the alteration proposed by the Attorney General until he saw it in print. He thought that it would have been better to bring forward the proposal in the form of a new clause; at all events, it would be a waste of time to discuss it on that occasion.

The ATTORNEY GENERAL (Sir Henry James) said, he would readily join in any request which the Committee might think it right to make with regard to the proposal of the Government. Unless the Committee wished to pursue the subject then, he was quite willing to accede to the proposal of the right hon. Gentleman opposite. The delay in bringing forward the clause was due to the desire of the Government to ascertain the wishes of hon. Members; and they believed they had at last succeeded in drawing a clause which would meet the requirements of the case in a satisfactory manner.

Sir WALTER B. BARTTELOT said, he was sorry his hon. and learned Friend the Attorney General had made the statement they had just listened to, because he did not think it would tend to advance the Business of the Committee. They were now engaged upon a particular Amendment, which had been strongly urged upon the acceptance of the Committee by the hon. Member for Northampton (Mr. Labouchere), and the proper course was to proceed to dispose of that Amendment. But, in order that the Government might be assisted to do something, a sop was now thrown out to the Committee in the shape of the hon. and learned Gentleman's proposal. If that proposal had emanated from anyone else than the Attorney General, the hon. Member who made it would have been immediately called to Order. He ventured to submit one remark upon the clause of the Attorney General—namely, that it would facilitate more corruption of the kind they were considering than anything else which could be devised. There was nothing to prevent one voter hiring a carriage for the conveyance of himself, and then taking a large number of his friends with him. Great difficulties were presented by the clause proposed by the hon. and learned Gentleman; and he would ask him not to go into these minor and petty details, and then there would be a much better chance of getting to the end of the Bill.

Mr. ARTHUR ARNOLD said, he took no Party view of this subject; but he considered that the proposal was one of very considerable importance. He was not going to discuss the Amendment of the Attorney General; but he would take the opportunity of pointing out that it met only one part of the question then before the Committee—namely, that part of it which related to the jobmaster. He admitted that the proposal of the Attorney General would meet that one difficulty; but they were now upon a question of private carriages. The hon. Member for Northampton had spoken as if carriages were an article of luxury; but that was not always the case. By far the larger number of "carriages" were used for purposes of trade and business. If he might be permitted to refer to the Amendment of the hon. Member for Newcastle (Mr. Cowen), he would suggest that when it came forward the word "persons" should be substituted for "person;" and he was glad to see that his hon. Friend assented to that view of the case. It was not reasonable that a farmer should, on election day, be limited to carrying a single person to the poll.

Mr. MACFARLANE said, that, although they were asked to make provision for the prevention of the hire of carriages, there was another plan by which corruption could be effected, and that was the purchase of carriages. The Bill did not prevent a man purchasing any number of carriages, and he might do that on the understanding that when he had made use of them they should be taken back at a certain price. It appeared to him that there was great scope for corruption in an arrangement of that kind. It was quite practicable for a man to buy both horses and carriages, and then return them in the manner he had described. He trusted the Attorney General would consider the necessity of meeting that particular form of corrupt practice. [" Divide! "]

MR. H. H. FOWLER said, the principle involved in the Amendment before the Committee was too serious and important to be stifled by cries of "Divide." He thought the question raised by the hon. Member for Newcastle (Mr. J. Cowen) was not to be disposed of by references to the particular phraseology of the Amendment, or by offering to support the Amendment which followed it on the Paper. The question they had to decide was as to whether the principle which the Committee had already adopted should be applied logically, impartially, and completely. The Committee had accepted the principle of prohibiting the conveyance of voters to the poll in hired carriages; and hon. Members on those Benches asked that that principle should be extended to the prohibition of carriages that were lent for the same purpose. The working of the carriage system at elections was this. Two or three days before the election took place, a circular was sent out to all the carriage-owning friends of the candidate, asking how many carriages they would place at the disposal of the committee on the polling day. In reply to this circular, carriages were sent, decorated with the colours of the candidate, the servants wearing rosettes, &c. The carriages were then apportioned to the various districts precisely in the same manner as hired cabs. He and his hon. Friends contended that a man who, by his social position or family influence, could command a large number of private carriages, had a distinct advantage over the candidate who did not occupy the same social position, or whose political opinions were, perhaps, not in harmony with the carriage-owning class. They said that under the present system, which compelled a working man to vote either in his breakfast or dinner hour, and under which the polling places were at a considerable distance from his residence, there was a great advantage to a man who possessed the means of locomotion. The Committee had prohibited the hiring of carriages, and he asked that the principle should be extended impartially to the lending of carriages. It appeared to him that when the Attorney General said that the ownership of carriages was one of the effects of wealth which they could neither disregard or neutralize, he was placing wealth on the same level with the possession of brains. But the object of the Bill, as he understood it, was to destroy, as far as possible, the influence of wealth in their electoral proceedings. The Government said, in effect, that the man who was in possession of sufficient money to be able to give 200 guineas for the permanent ownership of a carriage might permit that carriage to be used for the promotion of his election; but they said, at the same time, that the man who could only pay two guineas for the hire of a carriage for that purpose should not be allowed to do so. That proposition need only be stated nakedly to the Committee, and its weakness would then be manifest. He was satisfied that if this question were settled on the principle proposed by the Government the settlement would not be a permanent one, because the working classes of the country would not be content to see such an obvious advantage given to the wealthy candidate. He appealed to all sections of the House to remedy this manifestly one-sided legislation; and he was sure the Attorney General could easily construct a clause that would put a stop to the practice of placing at the disposal of Committees a large number of private carriages on the day of election, which was quite as objectionable as placing at their disposal a large number of cabs.

BARON HENRY DE WORMS said, that the discussion which had taken place on this Amendment had been extremely valuable, although it had not been entirely characterized by the absence of Party feeling. He thought it would have been well if the hon. Member for Wolverhampton (Mr. H. H. Fowler) had taken to heart the observations of the Attorney General, who had recommended that the discussion should proceed without any tinge of Party feeling whatever. The hon. Member, however, had not followed that recommendation. Moreover, the hon. Member appeared to have departed somewhat from the issue before the Committee. He had said that one of the objects of the Bill was to prevent the carriage of voters to the poll. That was quite true; but then the hon. Gentleman proceeded to draw a very strange analogy between that and the Amendment of the hon. Member for Newcastle (Mr. J. Cowen), the object of which was to prevent the lending of carriages. Now, the argument introduced by the hon. Member for Wolverhampton, as to the advantage being entirely on the side of those individuals who were in possession of carriages, was altogether wrong and fallacious. He (Baron Henry de Worms) represented a large constituency of working men, and he was able to say that in that district there were more Liberals who polled in waggons and carts than there were Conservatives who polled in carriages. If the hon. Member could see corruption in Conservatives going to the poll in carriages which cost 200 guineas, he would like to know whether he would say there was corruption in driving Liberal voters to the poll in coal waggons? In point of fact, the two cases were in principle identical. There was some plausibility in the argument that the result of an election might be influenced by the wealthy class who had carriages, simply by the latter being drawn up under the windows of the committee room, ready to take voters to the poll; and the hon. Member argued, with that show of purity which characterized the Liberal Party, that they would not avail themselves of similar advantages if some wealthy Liberal, anxious to promote the Liberal interest, were to place his carriages at their disposal on the day of an election. But not only had he seen a great number of Liberals carried to the poll in carts, but he knew that a great number of rich Liberals had placed their carriages at the disposal of the Liberal Committees. He entirely denied that there was any predominance of carriages on the side of the Conservatives; on the contrary, he asserted that there were quite as many carriages in the possession of Liberals as in the possession of Conservatives; and he maintained that if the Conservatives had any advantage from lending their carriages, the Liberals also, even the extreme Radicals, could adopt that less fashionable but more commodious vehicle, the cart.

Sir CHARLES W. DILKE said, so far from his being, as had been stated, opposed to the proposal of the Attorney General, he entirely agreed with it. The hon. Member for Wolverhampton (Mr. H. H. Fowler) had discussed this question as if it related only to the rich man's carriage, and, no doubt, he spoke with perfect accuracy with regard to the boroughs in his district on voting day. He could assure him, however, that he had seen in the boroughs in which he had been present on election days a much greater number of what might be called poor men's carriages being used by the committees than he had of rich men's carriages. There were a certain number of men who took a lively interest in the polling, and who lent their carriages; but, as a rule, the Conservatives were not those who took the keenest interest in it. Costermongers carts and flys were often largely used at elections. Therefore, he did not think this matter should be debated as if it were entirely a question of rich men's carriages. It would be impracticable to say, in the case of Irish counties, for instance, that a voter driving to the poll should not convey other voters with him, and he was sure it would be equally so in many places in England. But his hon. Friend wished the Government to adopt one of two Amendments on the Paper as offering a systematic way of getting rid of the difficulty; but he did not see how it would be possible, even if it were right to do so, to prohibit the lending of carriages to committees. He thought that his hon. and learned Friend the Attorney General had gone as far as possible in that direction, in the proposal he had sketched out. No doubt a number of decisions would turn on the point as to whether the lending of carriages was occasional or systematic; but he thought it would be a danger to the Bill to adopt the proposal of the hon. Member.

Mr. LEWIS said, the Government were guilty of inconsistency in opposing the Amendment, and he thought their inconsistency was made more clear by the Amendment of which the Attorney General had given Notice, because it placed a restriction on a man's using his property as he had a perfect right to do, so long as he did not use it for an improper purpose. They were told in the case of the election of a Member of the Government at Hastings that the Liberals were using carriages of all kinds, as well as banners and other *insignia;* and according to the description given, the town looked as if the occasion were that of a Royal visit. He had no doubt that this was the dying effort of the Government in favour of the system they were about to put an end to. To be consistent, this clause should say that a man should not lend his house, nor have any bill exposed on his premises. The right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) had declined to discuss the proposed Amendment of the Attorney General, and he (Mr. Lewis) would not then go into the question; but he trusted the quiescence of right hon. and hon. Gentlemen on the Front Opposition Bench was due to the fact that they considered discussion inopportune, and not to any sympathy on their part with the proposal, because if it were intended that a jobmaster should not lend his vehicles to friends on polling days, it amounted to such an encroachment on the liberty of the individual as he should have thought even the Attorney General would not have suggested. The hon. Member for Newcastle (Mr. J. Cowen) believed that in the interest of his theory of liberty and purity of election, a man should not be allowed to lend his carriage to take a friend to the poll. Well, he desired to go to a Division on the Amendment of the hon. Member, and it would then be seen to what extent the very remarkable principle which it contained had the sympathy of the Committee. Hon. Members on the Conservative side of the House were by no means impelled by any question of inconsistency to follow the hon. Member.

Mr. JOSEPH COWEN said, they were not there to discuss the question from any Party point of view; but they were there as reasonable men of business to discuss a matter they were all concerned in. If the hon. and learned Gentleman the Attorney General would accept either of the Amendments on the Paper he (Mr. J. Cowen) should be ready to support that Amendment; but the hon. and learned Member did not seem inclined to do that. The hon. and gallant Gentleman the Member for West Sussex (Sir Walter B. Barttelot) had expressed the matter properly when he had said that the letting of carriages or the lending of them would open the door to corruption, for if a jobmaster lent his conveyances to a candidate or his agent, there would be little difficulty in finding a means by which he could be repaid for his act of kindness. The persons they were trying to strike at were the large manufacturers, colliery proprietors, railway companies, and persons who had a large number of conveyances at their command, which they could make use of at an election, and, by so doing, largely influence the result. He had no desire to prolong the proceedings of the Committee, and should be willing to alter the language of his Amendment, if he could make it meet the wishes of hon. Gentlemen around him.

Mr. W. H. SMITH said, he had no doubt of the sincerity of the conviction that compelled the hon. Member for Newcastle (Mr. J. Cowen) to make this proposition; but he desired the Committee to consider whether they were not endeavouring to do that which was really impracticable—whether they were not creating offences which would render the conduct of an election absolutely impossible? It would be a different thing altogether if the offence were only to apply in cases where it was committed with the knowledge of the candidate; but the Committee knew perfectly well that there were always a large number of persons at an election who would endeavour to bring about the employment of vehicles, without the knowledge of the candidate, or his agents. Such persons as these would never be able to understand the extraordinary provisions which were sought to be incorporated into this Bill. It appeared to him that if this condition were inserted in the measure, no single election would be able to withstand a Petition if it were presented against it. It would be impossible to conduct an election in such a manner as to prevent some enthusiastic partizan or another lending a carriage of some kind to a voter, whether it was a costermonger's barrow or some other vehicle, for the purpose of taking a neighbour to the poll. The corollary of the suggestion was that an election day in this country should be a day of national fast and humiliation. The public-houses were to be shut up, persons were not to go out in their carriages, and the livery stable-keeper was not to go on with his ordinary business. The livery stable-keeper was not to be allowed to earn money on the election day. He was to be deprived of the means of earning his living, and he (Mr. W. H. Smith) was not sure that even the eating house keeper would be allowed to take in customers. The result of all this would be that the Government would succeed in producing a code which would be disregarded on all sides, and would have to be repealed in the course of a year or two.

Mr. RYLANDS said, he wished to make a final appeal to his hon. and learned Friend the Attorney General, who must have observed ere this that the proposal he had made was not likely to command the assent of the Committee in such a way as to meet, at all events, the objections on the Liberal side of the House. The right hon. Gentleman who had just sat down (Mr. W. H. Smith) had, no doubt, indicated very clearly that the effect of this Bill would be to put a stop, during the election day, to some of the ordinary amenities of life. On the day of the election, nobody, however distantly associated with the candidate, was to be allowed to treat his friend, or do anything which by any means could be construed into a corrupting influence. If they enabled gentlemen by means of their carriages to take their more humble neighbours to the poll to vote for a certain individual, they were simply empowering gentlemen to that extent to exercise a corrupting influence. They could not possibly prevent some slight influence of this kind being exercised—an influence which might not be considered absolutely pure. What he understood they were trying to do in this Bill was to prevent the employment of carriages as an undue influence for the purpose of directing the action of voters. He (Mr. Rylands) did not hesitate to say—and it was well that this should be understood—that unless this clause was amended in the way now proposed, it would be quite competent for a candidate to buy up all the second-hand carriages in his neighbourhood from the different carriage proprietors for the purpose of conveying electors to the poll. Of course, if such a thing as that were done some convenient mode could easily be found by which the conveyances could be re-sold to their original proprietors. Such a thing was quite possible under this Bill, and to his mind the Government were bound to deal with the question in such a way that if a man used his own carriage he should be precluded from purchasing or acquiring possession of any other conveyances for the purpose of the election. He thought that if they did away with the use of conveyances at all they should do away with the facilities that individuals might have for using their own conveyances. He trusted the hon. Member for Newcastle would withdraw the Amendment, and allow them to take a Division on that of the hon. Gentleman the Member for South-East Lancashire (Mr. Leake).

Sir RAINALD KNIGHTLEY said, they had only got to the 6th clause after the long period they had devoted to the measure. The subject they were now discussing had been quite fully debated, and a majority of almost two to one had declared in favour of saving their own pockets, and practically disfranchising a portion of their own constituencies. He deeply regretted that they had arrived at that decision, although he had, at the same time, admitted that there was a great deal to be said in favour of limiting the inordinate expenses of elections. So far as he was capable of understanding the Amendment, if it was carried it would be perfectly legitimate for a man to convey one elector to the poll; but it would be a crime or a misdemeanour for him to convey two or three. With all possible respect to the hon. Member for Newcastle (Mr. J. Cowen)—and there was no man in the House whose ability and independence he had a higher opinion of—he considered that the proposal was not one which the Committee should accept.

Mr. JAMES HOWARD (who rose amidst cries of "Divide!") said, if the Committee would allow him to say a few words upon this subject he would promise not to intervene for more than a few moments. He did not often trouble the Committee, and therefore he trusted that, with their usual courtesy, they would grant him their indulgence. He entirely sympathized with the object of his hon. Friend the Member for Newcastle, but believed that as the proposal was drawn it would go very far beyond that object. It would be simply intolerable if an elector was not to be allowed to convey his neighbour to the poll on the morning of an election. In his own case, for instance, he should be prevented from taking his own son with him in his carriage to the polling place. What he should propose to the hon. Member for Newcastle would be this—that after the word "carriage" he should insert in his Amendment "but this shall not prevent any person from using his own carriage for a single journey during the day." The effect of the Amendment, unless these words were inserted, would be to allow an elector to take a neighbour before breakfast to the poll, another after breakfast, another at lunch time, and another at dinner time, and in this way to make as many journeys as he possibly could, provided that he did not take more than one person at a time. The object of the hon. Member for Newcastle was, no doubt, to obviate the advantage which the rich man had over the poor man by the fact of his possessing carriages.

MR. W. LOWTHER said, he wished to have a very simple question answered. Take, for instance, the hon. Member for Bedford (Mr. J. Howard), who might go to the poll in his carriage. He would be driven there by his coachman, and consequently the coachman would go with him; would he and the coachman, if the latter voted, be guilty of a corrupt practice?

MR. NEWDEGATE said, he hoped he was correct in understanding that the Attorney General intended to bring up a new clause on this subject. Would the Committee excuse him for suggesting to the hon. and learned Gentleman the Attorney General that the principle involved was one of great importance, and the principle to which he wished to allude was this—that the system of uniformity in the franchise had never yet been admitted into the electoral arrangements of this country. He was happy to say that during the passing of the last Reform Bill, with the concurrence of a large number of Gentlemen who then sat on the opposite side of the House, he (Mr. Newdegate) succeeded in adding a number of seats to the county constituencies. This was done in opposition to the Leaders on both sides of the House, and he hoped the Attorney General would not forget this fact in drafting his clause. In the county constituencies of this country there was a union in the representation of labour and property—if such property was distinguished from a mere working man's property—and in framing his clause the hon. and learned Member would have an opportunity of either abandoning or continuing that distinction which was yet characteristic of the Constitution of the country.

MR. SHEIL said, the hon. Member for Newcastle (Mr. Cowen) had informed the Committee that the aim of his Amendment was to strike at the wealthy colliery owners and manufacturers; but he would remind the hon. Member that in Ireland they had neither the one nor the other. He (Mr. Sheil) should vote against the Amendment.

MR. FINDLATER said, that, as an Irish Member, he should also vote against the Amendment.

MR. JOSEPH COWEN remarked, that he had had no opportunity for some time of saying that which he was anxious to say—namely, that as it was the general wish of hon. Members on that side of the House that he should not persist in his Amendment, he would withdraw it, and let the decision be taken upon the next Amendment on the Paper, which was not quite so strong as his.

THE CHAIRMAN: Does the hon. Member wish to withdraw his Amendment? [*Cries of* "No, no!"]

MR. JOSEPH COWEN intimated that it was his wish to withdraw the Amendment.

THE CHAIRMAN: Is it the pleasure of the Committee that the Amendment be withdrawn? [*Cries of* "No, no!"]

Amendment *negatived.*

MR. LEAKE said, he had on the Paper the following Amendment, to insert after Sub-section (*c*) the following words:—

"No person shall lend a carriage or horse to any candidate, election committee, or agent, or to any other person for the purpose of conveying voters to and from the poll, and every person lending or borrowing a carriage or horse for the conveyance of voters to or from the poll shall be guilty of an illegal practice; no carriage licensed to ply for hire, and no carriage or horse kept or ordinarily used by any jobmaster or other person for hire, shall be used by the owner to convey voters to or from the poll, and any owner who shall so use such carriage or horse shall be guilty of an illegal practice, and anyone who shall lend or borrow such carriage or horse for the conveyance of voters to or from the poll shall be guilty of an illegal practice."

This Amendment had somewhat changed its complexion since they had entered the House, in consequence of the promise of the Attorney General to bring up a clause. That promise was perfectly satisfactory to him (Mr. Leake) and those who thought with him that the lending of carriages ordinarily kept for hire should be prohibited. Therefore, so far as that part of the Amendment which referred to carriages and horses kept by jobmasters was concerned, he should not propose it. However, with few words, he begged to put forward the first part of his proposition. It was aimed, as the Committee would perceive, at the systematic lending of private carriages to any candidate, election committee, or agent, for the purpose of taking the voters to the poll, which was an evil all Members very seriously suffered under. The use of carriages in this way involved the employment of men on the boxes to show the drivers where the voters were, and it originated a large number of electioneering oppressions which Members desired to put a stop to. It seemed to him impossible, in the present feeling of the Committee, to altogether prohibit the private use of a man's own carriage or conveyance. The difference between his proposal and that of the hon. Member for Newcastle (Mr. J. Cowen) was that he left intact the power and privilege of a private owner to take voters to the poll from the beginning to the end of an election, so long as he took them himself. Seeing that his (Mr. Leake's) proposal contained that limitation, he thought the Committee would have no difficulty in accepting it.

Sir R. ASSHETON CROSS rose to Order. He wished to take the Chairman's opinion upon this point. The hon. Member had stated that he intended to confine his Motion to the first part of the Amendment on the Paper. Would the hon. Member be in Order in adopting such a course?

The CHAIRMAN said, he was hesitating as to whether he was not obliged to stop the hon. Member, as his proposal very much resembled an Amendment which had just been negatived.

Mr. O'CONNOR POWER said, he would call the Chairman's attention on that point to the marked difference between the proposal of his hon. Friend and that which the Committee had just negatived. The Amendment of the hon. Member for Newcastle (Mr. J. Cowen) proposed that any person who lent his own carriage or provided any other carriage to convey voters to or from the poll should be guilty of an offence; whereas his hon. Friend said that no person should lend a carriage or horse to any candidate, election committee, or agent, or other person for this purpose. There was nothing in the Amendment which had been negatived by the Committee. He admitted that later down there was a portion of the Amendment which had been negatived, and which, if it reflected the general character of the Amendment, would make the proposal out of Order; but there was certainly a distinction between the proposal to lend a carriage to a candidate, or agent, or committee, or any other person and using one's own carriage.

The CHAIRMAN: I did not say the Amendment was entirely out of Order. I said it resembled very much the Motion just negatived, and that I was hesitating whether I ought not to point out to the hon. Member that resemblance.

The ATTORNEY GENERAL (Sir Henry James) suggested that in the interest of saving time it would be as well to allow the first part of the Amendment to be put. It was clear that the question raised by the Amendment must be formally decided by the Committee, though it was immaterial whether it was decided upon the present Amendment, or upon that of the hon. Member for Newcastle (Mr. Cowen). He hoped the Committee was now prepared to go to a Division upon the question.

Lord RANDOLPH CHURCHILL said, he hoped the Committee would not think of taking a decision on this Amendment, because it was not in accordance with the ground upon which the House of Commons was usually in the habit of coming to a Division—namely, the ground of common sense. If it passed this Amendment, it would be solemnly and deliberately, in the face of the country, enacting a most transparent sham. It would be ridiculous to say that no person should lend a carriage or horse to any candidate.

Mr. MONK: I rise to Order. The Amendment has not yet been put from the Chair.

The CHAIRMAN: I understood that the hon. Member (Mr. Leake) was about to move his Amendment.

MR. LEAKE: I will move my Amendment, and then read the terms of it.

MR. WARTON: We have got the terms of it.

THE CHAIRMAN: Does the hon. Gentleman move the second part of his Ammendment?

MR. LEAKE: No; I do not.

Amendment proposed,

In page 3, line 28, after sub-section (c.), to insert the words, "No person shall lend a carriage or horse to any candidate, election committee, or agent, or to any other person for the purpose of conveying voters to or from the poll, and every person lending or borrowing a carriage or horse for the conveyance of voters to or from the poll shall be guilty of an illegal practice."—(*Mr. Leake.*)

Question proposed, "That those words be there inserted."

LORD RANDOLPH CHURCHILL said, he had been going on to say, when interrupted, that the Liberal section of the House of Commons appeared to be anxious to redress a fancied inequality between the rich and the poor man; and they, therefore, came forward with every appearance of generosity and liberality to say that they would prohibit the use of carriages at elections, because they imagined that the rich man who would convey voters to the poll in his own carriage would, as a rule, lean to the Conservative side, whereas the poor man, who had no carriage in which to drive a voter, would, in most cases, belong to the Liberal Party. They imagined that while the Conservative voter would be driven to the poll, the Liberal voter would have to trust to his legs to get there. That was the ground upon which the Liberal Party, headed by the Attorney General, were assuming their present noble attitude. They proposed to solace their consciences with this Amendment, to which he would draw the attention of hon. Members not belonging to the Liberal Party.

"No person shall lend a carriage or horse to any candidate, election committee, or agent, or to any other person for the purpose of conveying voters to or from the poll, and every person lending or borrowing a carriage or horse for the conveyance of voters to or from the poll shall be guilty of an illegal practice."

That was to say, that a man owning a carriage or carriages could convey voters to or from the poll as much and as often as he liked, and so long as he did not go through the form of lending these carriages to the candidate there should be nothing improper in the practice. Let them mark how absurd this would be. The use of carriages would be as free and unrestricted as possible. The Attorney General, if he were a candidate, would have six or seven carriages, and would be able to convey any number of voters to the poll so long as he did not "lend" a carriage or horse to any candidate, election committee, or agent. Would those who supported the Amendment explain what they meant by the word "lend?" Did it mean that there was a legal document, or a formal offer of the use of the carriage for the day, or for a certain time for a consideration; or did it mean nothing at all, and that the owner of the carriage might convey voters to the poll as often as he pleased, as long as he did not go through the form of lending it to a candidate, election committee, or agent? Did not every hon. Member see the humbug of this matter? They had the Liberal Party, as he had said, with the Attorney General at its head, saying that they wanted to put a stop to this distinction between rich and poor, and under cover of this sham they were saying that they had put a stop to the inequality, and that henceforth the rich and poor man would be placed on an equality. If, after this exposure of their intentions, the Liberal Party insisted on this Amendment, they would only be increasing the confusion which upon these questions they were covering themselves.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had stated that the Government could not accept the principle contained in this Amendment, and he was rather surprised to hear the noble Lord the Member for Woodstock (Lord Randolph Churchill) attack them and the Liberal Party as he had done on the ground that they were adopting this Amendment as a sham. They had stated that they could not endorse the views entertained by the hon. Member who had brought forward the original Amendment, and that a Division should be taken upon the present Amendment in order to gather the views of the Committee upon the matter. He trusted that hon. Members would now allow them to proceed to a Division.

MR. CAVENDISH BENTINCK wished to point out to the hon. and learned Gentleman the Attorney General that it was of no use making appeals to the Committee if he did not stick to his guns. If the hon. and learned Gentleman had continued in the position in which he was on Tuesday when the Committee separated, there would have been no difficulty about this question at all, as they were quite prepared at that time to go to a Division. What, however, had happened now? Why, when the hon. and learned Gentleman was challenged by hon. Members below the Gangway, he put forward the extraordinary statement that he was in the hands of the Committee, and that he wished to follow not the principle which the Government had hitherto adopted, or any principle that was in his own mind, but simply that which might be agreeable to the Committee. Then the hon. and learned Gentleman threw down on the Table an Amendment which was exceedingly objectionable to him (Mr. Cavendish Bentinck) and to hon. Members sitting near him; but in all probability, when it came to be argued, it would be found to carry out the views of hon. Members below the Gangway on the other side of the House. However, it was not to say this he had risen, but simply to protest against this backwards and forwards policy. Surely the hon. and learned Member had had plenty of time to consider the matter, and to make up his mind what he was going to do.

SIR WILLIAM HART DYKE wished to ask the Mover of the Amendment whether he considered that a person who lent a tricycle to another person for the purpose of proceeding to the polling place would come within the scope of the Amendment?

Question put.

The Committee *divided*:—Ayes 54; Noes 244: Majority 190.—(Div. List, No. 155.)

Whereupon the Yeoman Usher of the Black Rod, being come with a Message for the House to attend the Lords Commissioners, the Chairman left the Chair.

Mr. SPEAKER resumed the Chair.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER *reported* the *Royal Assent to* several Bills.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 7.]

Bill again *considered* in Committee.

THE CHAIRMAN: The next two Amendments are in the name of the hon. Member for Cavan (Mr. Biggar). But it seems to me that they apply generally to the cost and sale of articles, and to matters of trade during an election, and that they do not properly refer to any corrupt practices; nor do they even state that the expenditure is incurred by the candidate. Therefore it does not seem to me that these expenses in any way come under the purview of the Bill. Certainly the first Amendment does not, and the second, which relates to the expenditure incurred in making provision for ballot boxes, would be more properly introduced into the Ballot Act. I should not, therefore, consider that it would be in Order to put either of the hon. Member's Amendments from the Chair.

MR. BIGGAR wished to submit that the first Amendment was in Order.

THE CHAIRMAN: Does the hon. Member rise to a point of Order?

MR. BIGGAR said, he did. He contended that the first Amendment was in Order in this way. [*Cries of* "Order!"]

THE CHAIRMAN: I have already ruled that the Amendment is irregular, and cannot be put. If the hon. Member has any point of Order to raise I am ready to hear him; but I cannot hear him in support of the Amendment.

MR. BIGGAR wished to remark, on the point of Order, that one of the most common forms of corruption consisted in paying excessive prices for things that might be legally required, and he thought the object he had in view in bringing forward the Amendment was perfectly within the scope of the present measure. It must be well known that one of the most direct means of corruption was the practice of paying extravagant prices for goods and services which might not be of an illegal nature in themselves. He, therefore, submitted that the first Amendment was not irregular in providing for the insertion of the following Sub-section—

> "No payment shall be recoverable for any work done, services rendered, or goods supplied during the progress of any election contest at any higher rate than the usual charges for similar work, services, or goods in ordinary

times; in all cases when a claim is made or an account furnished at twice what is fair no costs shall be allowed to the plaintiff, and the Court may order the costs of the defendant to be deducted from the amount decided by the Court to be due; in all cases when three times or upwards of a fair price is asked no payment whatever shall be recoverable, and in case proceedings are taken the plaintiff will be liable for the costs of the defendant."

In regard to the second Amendment, he proposed in the same clause to insert another sub-section to provide that—

"When ballot boxes and other apparatus have been paid for by candidates for county elections, they shall be lodged in the custody of the sub-sheriff for the time being, and shall be supplied for the use of future elections without charge to the candidates, except for necessary repairs; and, notwithstanding the maximum limit for fitting up polling booths, furniture, hire of rooms, &c., it will not be competent for any returning officer to pay more than is reasonable or fair for such necessaries, or be able to recover more than is reasonable or fair for same."

Perhaps the Amendment might more reasonably come under the Ballot Bill, if that Bill came before a Committee during the present Session. But, certainly, in regard to the first proposal he respectfully submitted that it very properly raised an important question in regard to a most common form of corruption, and was not, therefore, irregular. [*Cries of* "Order!"]

THE CHAIRMAN: The Amendment does not seem to me to be one which I can put; and, in my opinion, it is clearly out of Order.

MR. CALLAN said, he wished to move an Amendment which was not upon the Paper. He proposed to make a slight change in the first paragraph of the Amendment of the hon. Member for Cavan (Mr. Biggar); and he would move—

"That any payment for any work done, or services rendered, or goods supplied during the progress of an election contest at any higher rate than similar work would be done for, at any other time, shall be deemed to be an illegal and corrupt practice."

THE CHAIRMAN: I am unable to put that Question. It seems to me to resemble almost in actual words the Amendment of the hon. Member for Cavan (Mr. Biggar), which I have already ruled to be out of Order.

MR. LEWIS, in the absence of the right hon. Member for South-West Lancashire (Sir R. Assheton Cross), wished to move an Amendment of which the right hon. Gentleman had given Notice—namely, in line 30, to insert the word "knowingly." The clause would then read—

"Subject to such exception as may be allowed in pursuance of this Act, if any payment or contract for payment is knowingly made in contravention of this section either before or after an election," &c.

Amendment proposed, in page 3, line 30, after "is," insert "knowingly." —(*Mr. Lewis.*)

Question proposed, "That that word be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he accepted the Amendment, and he intended further on to submit a clause to relieve innocent persons from penalties which they might have incurred inadvertently; or, rather, he intended to extend the clause already in the Bill in regard to other illegal practices. He made this statement now in order to show that in this direction, and also in regard to other matters, he wished to do all he could to prevent any serious consequences falling upon an innocent person.

Question put, and *agreed to.*

MR. JOSEPH COWEN moved, in line 31, after the word "before," to insert the words "the issuing of the Writ." He was not quite sure that the clause as it had now been altered did not accomplish what he desired. The point which he wished to raise by the Amendment had reference to the expenditure which might have been going on for weeks or months previous to the election. For instance, he wanted to provide that the extensive preparing of canvassing books or other expenditure in that direction should be deemed an illegal expenditure if it took place before the issue of the Writ. But probably the Attorney General might say that the insertion of the word "knowingly" embraced all he had in view. He would, however, propose the Amendment, in order to afford an opportunity to the Attorney General for explanation.

Amendment proposed, in page 3, line 21, after "before," insert "the issuing of the Writ."—(*Mr. Joseph Cowen.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he did not quite apprehend what the hon. Gentleman meant by saying "before the issuing of the Writ." An Amendment to that effect might apply to the very day before the issuing of the Writ. He hoped his hon. Friend would not press the Amendment.

MR. GORST said, the Amendment was really the same in effect as that which was moved at an early stage of the Bill by the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes)—namely, to fix the particular time at which the election might be said to have begun. In the case of the Motion of the right hon. Gentleman the Committee came to a decision that it was impossible to fix a time.

MR. JOSEPH COWEN said, he thought the Amendment they had already agreed to did accomplish what he desired, and he would, therefore, not press the Amendment.

MR. CALLAN said, he presumed the word "knowingly" would be held to apply to anything that might occur after an election?

THE ATTORNEY GENERAL (Sir HENRY JAMES): Yes.

MR. CALLAN said, if that were really so, the clause would be most objectionable, and would leave a loophole open for corruption. He thought the Amendment of the hon. Member for Newcastle (Mr. J. Cowen) was a very fair one. If they proposed to convict a person of illegal practices, they ought to show that the acts which constituted the illegal practices were committed knowingly. He did not think the onus of proving that the act could have been known to the candidate should be thrown upon the person prosecuting.

SIR JOSEPH PEASE asked if the hon. Member was in Order in discussing a question which had already been decided?

THE CHAIRMAN said, the remarks of the hon. Member were not out of Order.

MR. CALLAN said, that, if the hon. Member who had interrupted him had read the Amendment, and knew anything of law, he would not have been so ready to interrupt. He had no doubt the hon. Member would have been more patient if he (Mr. Callan) had been entering into a disquisition upon railway matters, and had been pointing out the best and easiest means of grinding down the rights of the public. He thought the President of the Local Government Board would fully appreciate the point he was desirous of raising—namely, whether, if the Amendment of the hon. Member for Newcastle (Mr. J. Cowen) was withdrawn, the word "knowingly" would apply equally to the time before, during, and after an election. He wished to emphasize the Amendment of the hon. Member for Newcastle, because he thought that by saying it should apply to anything that had occurred long before an election was ridiculous; and it ought to be confined to what occurred during or after an election. Unless the Amendment were adopted, a loophole would be left open for corruption, which he was satisfied the Attorney General did not desire. He did not see what substantial objection the Attorney General could have to the Amendment, and he hoped he would accept it.

Question put, and *negatived.*

MR. LEWIS wished to move an Amendment which had been placed upon the Paper by the right hon. Member for South-West Lancashire (Sir R. Assheton Cross). It was one of several Amendments, which all hung together, and one of which had already been agreed to. The present proposition was to insert, in line 34, after the word "contract," the words "knowing the same to be in contravention of this Act." The section would then read—

> "Any person receiving such payment, or being a party to any such contract, knowing the same to be in contravention of this Act, shall also be guilty of an illegal act."

Amendment proposed, in page 3, line 34, after "contract," insert "knowing the same to be in contravention of this Act."—(*Mr. Lewis.*)

Question, "That those words be there inserted," put, and *agreed to.*

On the Motion of Mr. LEWIS (for Sir R. ASSHETON CROSS), Amendment made, in page 3, by leaving out line 35.

MR. SHEIL moved, in page 3, to leave out the whole of Sub-section 3, which provided—

> "That where it is the ordinary practice of an elector to allow for payment the use of any house, land, building, or premises, for the exhibition of bills and advertisements, or it is the

ordinary business of an elector to exhibit for payment bills and advertisements, a payment to or contract with such elector, if made in the ordinary course of business, shall not be deemed to be an illegal practice within the meaning of this section; but such elector shall be deemed to be employed for reward for the purpose of the election, within the meaning of the enactments mentioned in Part Two of the Third Schedule to this Act, and accordingly shall not be entitled to vote, and if he votes his vote shall be void."

The hon. Member said, his reason for moving the Amendment was that last Session the House agreed to the principle that, under no circumstances whatever, should an elector who received payment for services, or any act done by him during the election, be allowed to take any part in the election. That seemed to him to be really the main principle of the Bill of last year; and in moving the rejection of this sub-section he was anxious to raise that question at once. He had put down, further on in the Bill, Amendments which would raise the question again; but this was the thin end of the wedge, and if the Committee were of opinion that no elector should receive payment, under any circumstances, during a contested election, then he asked them to support him in this proposition. He knew it would be argued against him that electors in such a position were to be deprived by the Bill of the privilege of voting; but, on the second reading of the Bill, he had mentioned to the House that such a provision would have very little practical effect. It had happened in his own case, and he believed it had happened in other cases, that the object of a candidate would be to engage for hire certain voters whom he knew to be against him. That happened to himself when he stood for the borough of Athlone; and it was likely to happen again in many other constituencies, and for that reason he begged to move the omission of the whole of the sub-section.

Amendment proposed, in page 3, leave out Sub-section 3.—(*Mr. Sheil.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

LORD RANDOLPH CHURCHILL said, he thought it would save time if the hon. and learned Attorney General would answer a question he wished to put to him. The sub-section spoke of payments and contracts with an elector, in the ordinary course of business. He did not quite understand what that meant. How long back did it refer to? How many elections might there have been going on? Suppose it had been done at the last election, would that be sufficient? He was afraid the clause, as it stood, would give rise to no end of litigation. Supposing a person actually occupying particular premises had gone away, and a new person had come in, would the words "ordinary course of business" still apply to the person who succeeded? He did not profess to be a lawyer, or to understand legal terms; and, therefore, he should like to know whether this was an ordinary mode of expression in an Act of Parliament?

SIR CHARLES W. DILKE said, the sub-section was intended to cover a case such as that of Willing, the advertising agent, who let hoardings for the exhibition of bills. Several speakers the other day, in discussing an earlier sub-section, pointed out that some such provision must be made, and that was the effect of the debate which occurred last year. The principle of the Bill was that, where an elector was employed, he was employed of necessity, and he was not to vote, and this sub-section forbade him to vote. In answer to the question of the noble Lord as to whether the disability would attach to the premises or to the individual, he took it that it would follow the individual, and not the premises. It would depend upon the business of the individual. In regard to the remarks of the hon. Member for Meath (Mr. Sheil), if he followed the hon. Member's arguments correctly, he understood him to point out that the insertion of this sub-section would be in conflict with the general principle of the Bill.

MR. SHEIL said, it would be in conflict with the principle of the Bill of last Session.

SIR CHARLES W. DILKE said, he thought not. The Bill of last Session laid it down as a general principle that where an elector was employed and paid he was not to vote, and the adoption of the present sub-section would still prevent an elector, under the same circumstances, from voting. Seeing that there was this restriction in the clause, he did not think it necessary to accept the Amendment. It was not a new subject, but one that had been discussed before, and a necessity for some such provision had been fully admitted.

Mr. RITCHIE said, the right hon. Gentleman was of opinion that some sub-section of this kind was necessary, and he had given as an illustration the business of Mr. Willing. Now, he (Mr. Ritchie) understood that Willing carried on a business in which he contracted for placing advertisements generally on hoardings. He thought there should be no misunderstanding as to what was prohibited under the clause. He would mention a case, and he would ask if it would come under the sub-section. He knew there were many persons in his own constituency who let the upper part of their houses for the purpose of having them placarded with bills of all kinds; and he wanted to know if the case of such men would come under the clause in the event of notices connected with the election being stuck up during a Parliamentary contest? In many cases the upper part of a house was constantly let for the exhibition of all kinds of advertisements; and would a man be prohibited from using the upper part of his house for a similar purpose during an election time?

Mr. M'LAREN asked what would happen in the case of a man who had only entered shortly before an election upon premises on which this practice of letting advertisements had been carried on for some time previously? He thought there ought to be something put into the clause to protect individuals who occupied the house as well as the owner of it.

Mr. LABOUCHERE said, his right hon. Friend the President of the Local Government Board would be perfectly aware of what was done in the borough of Chelsea and other parts of London. It was not only advertising agents who took hoardings of this kind, but there were a large number of persons in the Metropolis who pursued a business of their own in the house, but whose ordinary practice it was to let the outside of the house for advertising purposes. He saw the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) in his place, and he thought the right hon. Gentleman would bear him out that even in Westminster, where they were now situated, it was the ordinary practice of a very large number of persons to put up boards or placards in front of the house, and to receive some slight payment for doing so. Now, it was very clear that if they left in the words "ordinary business," they would not only include an advertising agent, but would leave the door open to an elector to say—"If you will allow me two, three, or four shillings a-week, or whatever you like, I will exhibit your notices;" and, as they all knew, that was a most insidious mode of bribery. He thought if the hon. Member for Meath (Mr. Sheil), instead of moving to leave out the entire sub-section, would allow the words "the ordinary business," or "the ordinary course of business," to be struck out, he would accomplish all that he desired. He (Mr. Labouchere) was certainly of opinion that some limit ought to be put upon the practice.

Mr. LEWIS wished to put a question on a point of Order. The proposal before the Committee was to leave out the whole of the sub-section; but he (Mr. Lewis) had an Amendment later on to leave out only part of it.

The CHAIRMAN said, the Question he had put was, "That the words proposed to be left out stand part of the Clause."

Sir CHARLES W. DILKE, in reply to the observations of the hon. Member for Northampton (Mr. Labouchere) and the hon. Member for the Tower Hamlets (Mr. Ritchie), said, that, undoubtedly, if the practice of letting out premises for electioneering notices and advertisements during a contest was resorted to on a large scale, it would come under the head of bribery.

Mr. CALLAN said, he had never seen so plainly the advantage of living in London or Chelsea or the City of Westminster as he did now. He found in the Bill of the President of the Local Government Board 11 lines constituting this sub-section, inserted for the legalization of certain practices in London, Chelsea, and Westminster, which were corrupt practices in the ordinary acceptation of the term. They were told that this Bill was a Bill to reduce the expenditure incurred at elections, and yet these 11 lines were inserted so as to leave a loophole for extravagant expenditure in certain constituencies. No matter what inconvenience an elector might be put to, it had been made illegal to hire a carriage for the conveyance of any voter to the poll; and if he happened to be old or infirm, he might be required to walk five, six, or seven miles, or from any more remote distance, to the polling place. That was done on the ground of saving expense. And yet they proposed to make no exception in the case of advertisements. The Government had prepared most carefully a most elaborate provision by which to offer a loophole for corrupt practices in London, Chelsea, and Westminster. He thought the Committee ought not to be called upon to waste their time upon any proposal which virtually amounted to one for providing exceptional treatment for London, Chelsea, and Westminster.

MR. GREGORY said, he concurred in the view expressed by the noble Lord the Member for Woodstock (Lord Randolph Churchill). He could not help thinking that there would be some difficulty if they retained the latter part of the clause as it stood; and, instead of saying "the ordinary course of business," he would suggest the propriety of making the clause read, "when in the ordinary course of the business of an elector."

LORD RANDOLPH CHURCHILL suggested that the hon. Member for Meath (Mr. Sheil) should withdraw his Amendment, and that the right hon. Gentleman the President of the Local Government Board should be taken strictly at his word, when he said that this sub-section was solely inserted to meet the case of an advertising agent such as Willing. If that was the intention of the clause, and if it was the desire of the Government to put down with rigour anything like the practice of displaying electioneering bills in windows, shops, or public-houses in return for payment, which was a most fruitful source of corruption, particularly in the Metropolis, he thought that the Committee ought to set their face against it. In order to cover the parties whom the clause was intended to protect, he would move, as an Amendment, to leave out the word "elector," and to insert the words "advertising agent." He thought that would exactly, according to the President of the Local Government Board, cover all whom the Government desired to protect.

MR. RITCHIE said, he did not agree with the noble Lord. He did not think that the President of the Local Government Board had said that that was the sole object of the clause. The right hon. Gentleman had only given Willing as an illustration. It would be unfair and ridiculous for the Committee to take up the position suggested by the noble Lord, and to impose a penalty upon all persons who were in the habit of making a considerable sum of money annually from letting their houses, and depriving them for ever hereafter from letting them for advertising purposes. [MR. GORST: During an election.] An election was the very time when the practice became most remunerative. [*Laughter.*] He had no doubt the noble Lord who laughed at that would see it was self-evident that on such an occasion as an election the possession of an advertising station was most valuable, and it might be let without the slightest trace of corruption in the matter. His understanding of the way in which these places were let was this—the proprietor contracted with some advertising agent to put up boards on his walls—either Mr. Willing, or some other person—and in return he received an annual sum for the use of the walls. He thought it would be a monstrous thing to deprive such persons of the opportunity of doing that; and it would be equally monstrous, when an advertising agent had hired the walls, to deprive him of the right of exhibiting electioneering notices at an election time. If the clause were only drawn to meet cases such as that of Willing, he thought there was considerable risk of committing an injustice towards other persons, who might be deprived of the right of letting their houses for advertising purposes, and also to an advertising agent, who might be deprived of a good opportunity for exhibiting bills.

MR. FIRTH said, he thought that the words suggested—"in the ordinary course of business"—would meet the case. It was an ordinary practice for a publican to let the whole of his house during an election time, and to get paid for it. With respect to other cases where boards were put up outside houses, he presumed that the protection would only apply to places where that practice was carried on as an ordinary course of business. There were hundreds of boroughs where the advertisements only appeared at an election time, and, in such cases, it could not be held to be the ordinary course of business.

Mr. GORST said, he thought the best course for the Attorney General to take would be to induce the right hon. Gentleman the President of the Local Government Board and the other Metropolitan Members to leave the House, and then the rest of the House would be able to deal with these corrupt practices. The hon. Member who had just spoken asserted that it was the practice in the borough of Chelsea for an elector to let the whole of his house; and, if he did so, then he lost his vote, which, no doubt, he would have given to the Tory side. He thought the clause, as it stood, would open the door to an enormous amount of profligate corruption; and, unless the Attorney General would accept the Amendment of the noble Lord the Member for Woodstock (Lord Randolph Churchill), or one similar to it, he could not vote for the clause. He would ask the Committee to look carefully at the clause as it stood. Anything might be done by a non-elector, from exhibiting bills to the sending out of any number of cabs he liked; and it was just possible that another way of profitably utilizing cabs would be discovered in employing them for the exhibition of placards. Besides that, every elector made it his ordinary business to allow his house to be used for the exhibition of bills, or to allow it to be hired for such purposes, on the occasion of an election. The President of the Local Government Board said that if an elector did that he would lose his vote; but everybody knew that that part of the Ballot Act was really a dead letter. The electors did receive payment for their services; and they went and voted all the same, although, no doubt, they might be struck out on a scrutiny; but that was not done in one case out of a thousand, and the consequence was that all persons who received payment went and voted, and would continue to receive payment and go and vote after this clause was passed.

Mr. STAVELEY HILL expressed a hope that whatever the Committee did they would keep this clause as strictly as they possibly could. He would support anything that could be done to put down the present extravagant waste of money. Who on earth was ever induced to vote for a particular candidate simply because he saw the name of the candidate posted up on a board? No man was ever induced to vote because he was told to do so by a large placard, except, perhaps, those who were paid for posting the placards.

The ATTORNEY GENERAL (Sir Henry James) said, he entirely shared the views of his hon. and learned Friend the Member for Chatham (Mr. Gorst). The Bill of last year made it an offence to pay anybody for exhibiting advertisements. That, he thought, was going a little too far; and, therefore, he had altered the clause, and had limited it to a prohibition against the electors themselves. There was nothing to prohibit a non-elector from doing these things; but what the Bill did was to provide that where any payment was made to an elector it should act as a disqualification in regard to such elector's vote. They did not say it should not be done; but they provided that if it were done then the elector should be disqualified from voting, even if it were done in the ordinary course of business. The noble Lord suggested that the words "ordinary course of business of an elector" should be inserted, so as to make the matter quite clear. That was the intention of the clause, and he was quite willing to accept the noble Lord's Amendment. His hon. Friend the Member for Stafford (Mr. M'Laren) asked what would be the case if a man took a house which had been let shortly before for that purpose. He thought the clause would sufficiently provide for that case if it said "in the ordinary course of the business of an elector." Whether a house was taken for the purpose of posting advertisements during an election or not the purposes for which it was let were to be such as to constitute it an ordinary course of business. He advised the Committee to accept the Amendment of the noble Lord the Member for Woodstock (Lord Randolph Churchill).

The CHAIRMAN: I wish to point out to the Committee that unless the Amendment of the hon. Member for Meath (Mr. Sheil) is withdrawn it is impossible to put another.

Mr. SHEIL said, he would, with the leave of the Committee, withdraw the Amendment, if by that means he could facilitate a decision being arrived at upon the matter. At the same time he did not think that the right hon. Gentleman the President of the Local Government Board altogether met the difficulty which he (Mr. Sheil) had pointed out, and which he regarded as a very important one—namely, that voters might be employed to disqualify them. The Attorney General seemed to be surprised that such a thing could occur; but it certainly had happened to him (Mr. Sheil) and to others. As far as he was personally concerned, he had lost an election in consequence of acts of that kind, and he was afraid it might happen again.

Mr. RITCHIE said, that, before the Amendment was withdrawn, he should like to have the matter perfectly clear. He would take the case of a cheesemonger in a Metropolitan borough. The cheesemonger had a shop in a prominent position, and he let the upper part of his premises to Willing. Upon the part of the premises so let there were boards upon which all kinds of advertisements were put. At a time of election would Mr. Willing be able to exhibit the bills of a candidate? That was what he wanted to know.

The ATTORNEY GENERAL (Sir Henry James) said, that would not be the case of the cheesemonger at all, but the case of Mr. Willing.

Mr. RITCHIE said, the premises would be those of the cheesemonger.

The ATTORNEY GENERAL (Sir Henry James) remarked, that the person to whom the money would be paid would not be the cheesemonger, but the advertising agent.

Mr. RITCHIE pointed out that the cheesemonger would get payment from Mr. Willing. The cheesemonger was an elector, and the premises were his; and would he be under any penalty for letting the premises to the advertising agent?

The ATTORNEY GENERAL (Sir Henry James) said, he would be at liberty to let his premises to the advertising agent.

Mr. RITCHIE said, that under those circumstances he would withdraw his objection.

Lord RANDOLPH CHURCHILL said, that if that were so then the clause would be highly objectionable.

Mr. J. LOWTHER said, that in order to avoid confusion he thought it was only right that the Attorney General should consider this point. He had heard a good deal—and, indeed, a good advertisement it had been for one particular advertising agent in the Metropolis—about the practice now pursued at an election time; but, before the Amendment was withdrawn, he wished to call attention to the case, not of an individual or to a limited class of electors, but to a large class of individuals, known as the sandwich boardmen. That might appear to some Members to be a very small matter; but they would be aware that a practice very largely prevailed in some constituencies of employing the electors or the relatives of the electors in carrying around sandwich boards, and in otherwise becoming the medium of advertisements for the purposes of an election. In the clause as it stood the employment of a person in that capacity was prohibited, provided that he was an elector, or unless it was in the ordinary practice of his business or trade. The clause prohibited the use of any house, land, or building for advertising purposes; and he wished to ask the Attorney General whether a man would be allowed to make use of his own person for the purpose of advertising? It might be said that this was an infinitesimal point; but he wished to point out to the Government that in their desire to take cognizance of the interests of the constituents of the President of the Local Government Board they had entirely overlooked one of the most fruitful forms in which electoral corruption was promoted. He would, therefore, direct the attention of the Attorney General, not by way of jest, but seriously, to the case of those electors who engaged to constitute themselves advertising mediums, and to promote the objects of the election, with the view of considering whether that ought to be a disqualification or not. One of the Members for Chelsea had already candidly admitted the employment of electors for advertising purposes, with the avowed object of obtaining their vote.

Mr. FIRTH said, the right hon. Gentleman was labouring under a positive misapprehension. He (Mr. Firth) had said nothing of the kind.

Mr. J. LOWTHER said, he was glad to find that the hon. Member had been the unconscious cause of drawing the attention of the Committee to a serious evil, and of putting the Committee on their guard against it. He (Mr. J. Lowther) had intended to propose an Amendment in the clause; but it was not necessary to do so, because it might be moved in a subsequent paragraph. He would suggest to the Attorney General that in re-casting the clause he should consider the propriety of introducing some words to meet the objection which he (Mr. J. Lowther) had urged.

Amendment, by leave, *withdrawn.*

LORD RANDOLPH CHURCHILL said, he had now an Amendment to propose. It was not at all clear, since the explanation given by the Attorney General to the hon. Member for the Tower Hamlets (Mr. Ritchie), whether the Amendment accepted by the Attorney General would meet the object which he (Lord Randolph Churchill) had in view. He would propose, therefore, to leave out all the words after the word "where," in line 36, down to the word "it," in line 38. The words he proposed to strike out were—

> "Where it is the ordinary practice of an elector to allow for payment the use of any house, land, building, or premises for the exhibition of bills or advertisements, or."

The clause would then read—

> "Provided, that where it is the ordinary business of an elector to exhibit for payment bills and advertisements, a payment to or contract with such elector, if made in the ordinary course of business, shall not be deemed to be an illegal practice within the meaning of this section."

The object of the Amendment was to prohibit payment in all cases where the business was not the ordinary business of the elector, because he saw, in the first lines of the sub-section, a loophole for electoral corruption. He did not think it necessary, if it was only intended to protect the advertising agent, to retain the first part of the sub-section at all. What he wished to point out to the Attorney General was this. If the hon. and learned Gentleman was right in what he had stated to the hon. Member for the Tower Hamlets (Mr. Ritchie) that payment to Mr. Willing—who was only taken as a type of the class who advertised the addresses of the candidates—would be legal, no matter how the premises were taken, or what price Mr. Willing paid for them for that purpose, it was quite evident that they were converting Mr. Willing into a tremendous corrupting agent. Of course, as he had stated, he only took Mr. Willing as a type of the class. If this course were taken it would be very easy to pay a large sum of money to an advertising agent, and to say to him—"There are So-and-so, and So-and-so, and So-and-so, whom I wish to advertise my bills; and you must pay them so much for the use of their premises." In that way the candidate might give an advertising agent a large sum of money for the purpose of posting advertisements; and the advertising agent would be able, under cover of such an operation, to purchase, for a considerable sum, the premises of persons whom it might be considered desirable to assist pecuniarily. The Committee were drawing the law very strict, and they were inviting all kinds of evasion in regard to it; and he could see a most obvious evasion of this clause if they were able to make use of the advertising agent as a briber. He wanted to stop the practice of hiring boards and shop windows for advertising. If they permitted the proposal of the Attorney General, the local advertising agent would be converted into the man in the moon.

Amendment proposed, in page 3, line 36, after the word "where," to leave out all the words down to "it," in line 38. —(*Lord Randolph Churchill.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was really at one with the noble Lord and the hon. Member for Staffordshire in the wish to stop the exhibition of bills in windows. The Bill had been drawn with one object; and the question was how far they should go in making it elastic, so as to allow legitimate ordinary business to go on. What they were now discussing was a very small matter, hardly worth occupying time, whether they accepted the noble Lord's Amendment or not. If they struck out "practice" and inserted "course of business" they would provide all that was necessary; and he hoped the noble Lord would accept that as carrying out all that he wished to effect. The clause dealt with two different things—the exhibition of bills, and exhibition of bills for payment. If they decided not to allow any payment to an elector, that would be going further than the Bill went; but he thought the Committee might accept the noble Lord's first Amendment. With regard to the President of the Local Government Board, the right hon. Gentleman had never paid any sum for the exhibition of bills.

MR. J. LOWTHER said, he had referred just now to the case of a humble class of men whose mode of life had apparently escaped the notice of the framers of this Bill. If one of the large contractors employed a number of electors in the capacity he had indicated, would they become responsible? For instance, a large number of persons might be employed in order to prevent their giving their votes. Was the elector who accepted service during the election, not as a principle, but as a subordinate of another elector who was a contractor, or of a contractor who was not an elector, to be disqualified from voting?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, this was an important portion of the Bill, and it was to prevent the difficulty pointed out that he had inserted a maximum in the Schedule. There was the great safeguard. It was impossible to trace employment to any contract so as to prevent the carrying on of an occupation, because, if that were done, a person who received weekly wages in a printing office would be subject to disqualification. That could only be met by indirect means in the Schedule.

MR. MONK wished to know what was the object of legalizing the placarding of a vacant house with the address of a candidate? It was, of course, satisfactory to know that the right hon. Member for Chelsea (Sir Charles W. Dilke) had done nothing of that kind; and he did not see why, if that practice was not required for Chelsea, it should be required for any other borough. When an election was coming on, great pressure was put upon a candidate or his agent to allow a vacant house to be placarded all over with the candidate's address, which had already been sent to every elector. That opened the door to corruption, whether the owner of the house was an elector or not, and he was sure they could not do better than prevent that practice for the future. It was all very well to say there was a Schedule; but before that Schedule was done with, the amount to be allowed for the ordinary expenses of an election would be largely increased. He hoped the Attorney General would accept the noble Lord's Amendment, and prevent this practice in the future.

MR. STAVELEY HILL said, he also hoped the Amendment would be accepted; but he would go further than the hon. Member for Gloucester (Mr. Monk.) It was very desirable to put a stop to this practice altogether; and he would ask the Attorney General to agree to strike out this section altogether on Report.

SIR GEORGE CAMPBELL said, the more this matter was discussed, and the more the Government departed from their own provision, the more the Government put themselves into an illogical position in which it was impossible to give effect to any part of their proposals. It was more and more the case that they got over all difficulties by falling back on the maximum. There were many cases in which the maximum was not spent; and he joined in the appeal to the Attorney General to revert to the original intention in regard to the present clause.

MR. JOSEPH COWEN said, this was simply a question of the difference between tweedle-dum and tweedle-dee. The Attorney General had made a very reasonable offer; and the hon. Member for Gloucester had shown how easily a man might be misled in talking about matters he was not practically acquainted with. Everybody acquainted with the business of advertising knew that whenever there was a vacant house it was seized upon by bill stickers. He was disposed to think that the proposal of the Attorney General met the question. He agreed that everything ought to be done to repress this practice; but he thought the Bill fairly accomplished that.

MR. GORST said, he was very sorry to have said anything offensive to the right hon. Member for Chelsea (Sir Charles W. Dilke); but what he had said was in joke. He should like to join in the suggestion whether the Attorney General had not better go back to the Bill of last year, and prohibit placarding altogether. It was of no use, for every elector received the candidate's address by post, or read it in the newspapers, and nobody was likely to stand in the street to read a poster upon a house. Nobody's vote was influenced by those placards, and this practice could only be used for the purpose of corruption.

Mr. LEWIS said, he thought the observation of the hon. Member for Newcastle (Mr. J. Cowen) very unreasonable. What was the whole section but tweedle-dum and tweedle-dee? The maximum scale provided for all these minute details, and pernicious practices upon which long debates took place. The more they attempted to deal with all these details the more they were surrounding the candidate with pitfalls.

The ATTORNEY GENERAL (Sir Henry James) said, this was no matter of mere detail; but if the Committee would accept the noble Lord's Amendment, the Government would also be ready to do so.

Question put, and *negatived.*

Amendment *agreed to.*

Mr. LEWIS moved, in page 3, line 42, to omit all the words from the word "section." He wished to know why a man should be disqualified because he was employed, not provisionally for the purposes of an election, but in the ordinary course of his business, to print the address of a candidate, such a person, he thought, ought to fall within the category of a bricklayer, or a stationer.

Amendment proposed, in page 3, line 42, to leave out from "section" to the end of the Clause.—(*Mr. Lewis.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL (Sir Henry James) said, the clause had been very much altered by the omission of the words dealt with by the noble Lord the Member for Woodstock (Lord Randolph Churchill), and the Committee had now greatly limited the number of persons who would be liable under the Bill. He, therefore, was disposed to accept the Amendment.

Mr. J. LOWTHER said, disqualification would only apply to the chief person who accepted a contract, and not to those employed by him; but in the particular business dealt with by this clause there were peculiar facilities for employing a large number of electors provisionally. An advertising agent did not require skilled hands, but could get any number of men for his purpose at a moment's notice. Did the Attorney General still adhere to the view that electors might be employed to any number without forfeiting their votes?

The ATTORNEY GENERAL (Sir Henry James) said, he thought he had answered that point very distinctly. That question did not at all arise on this section, which only dealt with a voter and contractor, and not with the persons employed.

Mr. J. LOWTHER said, he thought it was high time to consider this question. The Attorney General, when he said this Bill could be revised, and then submitted to Parliament, took no cognizance of this important point. There was no provision in this Bill for dealing with a matter which he thought might become a fertile source of corruption. An elector might be engaged to exhibit a bill or a sandwich board, in order to prevent his being able to vote; and if it was to be laid down that a voter who was engaged for hire should not be allowed to vote in any case, that ought to be provided for in the Bill. He saw no reason why a principal contractor should be debarred from voting; and he should certainly press the omission of these words, unless the Government gave an assurance that they would deal with the matter later on.

Sir R. ASSHETON CROSS said, he thought the Attorney General was right in assenting to this Amendment. If the right hon. Gentleman wished to raise the point, he could do so upon the question of illegal payments.

Mr. J. LOWTHER could not agree with his right hon. Friend that the present was not a proper time for dealing with the subject; but, at the same time, he thought it would be better to raise the point again upon a later section.

Question put, and *negatived.*

Amendment *agreed to;* words *struck out* accordingly.

Motion made, and Question, "That the Clause, as amended, stand part of the Bill," put, and *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 7 (Expenses in excess of maximum to be illegal practice).

MR. GORST said, he thought the definition of expenses in this clause was very vague; and he, therefore, proposed to amend the words so as to make the clause read—

"When the payment is a payment on account of, or in respect to the conduct or management of an election."

A great deal was to be left to the Judges; but he thought this Amendment would make the definition more distinct than it was at present.

Amendment proposed, in page 4, line 8, after "respect," to insert "of the conduct or management."—(*Mr. Gorst.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he thought the proposal a valuable one, and he should be happy to accept the Amendment.

Question put, and *agreed to.*

MR. GORST said, he proposed, as a consequential Amendment, to omit the words "or incidental to."

Amendment proposed, in page 4, line 8, to omit the words "or incidental to."—(*Mr. Gorst.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR GEORGE CAMPBELL wished to know, before these words were omitted, what would be the effect of the omission? The clause ran—"Shall be incurred by a candidate at an election." If a canvass was carried on in view of an election some months afterwards, would any such expenditure be included in the maximum, or excluded? It seemed to him that such expenditure would be incidental to, if not at, an election.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, it was difficult to define exactly what the expenses were; but the hon. Member's words referred, he thought, to an election itself. Canvassing a borough months in advance was a process of which, he believed, the borough would be glad to be relieved; and this clause would limit that very much.

Question put, and *negatived.*

LORD GEORGE HAMILTON said, the Amendment he now wished to propose raised the same question as that last discussed to a certain extent. The clause had been improved by the Amendment of the hon. and learned Member for Chatham (Mr. Gorst); but he proposed to insert "as hereinafter defined." This clause proposed to declare that any expenditure in excess of a certain sum allowed in the Schedule was illegal, and that any candidate incurring such expenditure would be disqualified for life from representing the same constituency. That was a tremendous penalty; but in the largest constituencies the risk would be increased, because it would be impossible for a candidate to keep such an absolute control over the operations in a large area as in a small area. As to what was meant by an election if an election always took place at exactly the same time, there might be good reason for saying a man must not exceed a certain amount; but suppose an election was unduly postponed, a candidate was forced to incur expenditure in consequence of that prolongation, and then he would be unseated. He would assume that some Peer died, and his eldest son being a Member of the House of Commons, succeeded him in the House of Lords. Upon that, a candidate, knowing that a vacancy must occur, went down to contest the constituency; but if the new Peer delayed proving his title the candidate must carry on the canvass, and so he might incur expense beyond the sum allowed by the Bill, and for that he might be unseated after all. Was that right? He proposed his Amendment in order to get some idea from the Attorney General as to what was an election, and when election expenditure was to commence?

Amendment proposed, in page 4, line 9, after "election," insert "as hereinafter defined."—(*Lord George Hamilton.*)

Question proposed, "That those words be there inserted."

MR. CAVENDISH BENTINCK wished to remind the Committee of what occurred in 1868. Parliament was dissolved in November; but at the Prorogation in August it was known that that Parliament would not meet again, and the consequence was that there was an election campaign extending over two or three months. That might easily occur again, and, therefore, he supported the Amendment.

THE ATTORNEY GENERAL (Sir HENRY JAMES) observed that, although the noble Lord proposed his Amendment, he shirked all responsibility of saying what an election was. He presumed the noble Lord felt the difficulty of defining an election, and what was it that he asked? He supposed the noble Lord asked that some limit of time should be fixed. If they fixed the limit at one month that would allow expenditure for any length of time outside that month. A candidate might go down and for a month make a house-to-house canvass, and employ as many agents as he pleased, and then say he had not done that within the month as fixed by the Bill. An arbitrary fixing of time would only enable a man to evade the law. He remembered the case of the Election of 1868, and he thought that was an example that had better be avoided; for he did not think the prolongation of a canvass for six or eight months was advantageous either to a candidate or a constituency. He could not give an absolute definition, but he thought there was some rule of construction which might guide them. If a candidate only made periodical visits to a constituency, merely to place his views before them, he did not think that would be an electioneering campaign. No machinery would be required for that; there would be none but simple expenses, and there would be no difficulty in the Judge seeing whether there had been a continuation of action, or whether it was only general. Under these circumstances, he did not think they could meet the practical difficulty by a limit of time. They had fixed the amount of election expenses, and they could find out by common sense what expense belonged to the election and what did not. He was willing to reconsider that question when they came to Sub-section B, and he hoped that in view of that pledge the noble Lord would not insist upon his Amendment. He should be glad of the assistance of the noble Lord in respect to expenses; but he could not accept this Amendment.

MR. W. H. SMITH said, the observations of the Attorney General showed how extremely difficult it was to define anything in the Bill. Whenever they came to a point at which the intentions of the candidate had to be considered, they were driven back on the Judge. The Attorney General said the Judge would have to consider this, that, and the other; but nothing could be worse than to leave it to the Judge to determine whether a man's intentions and acts were fair and proper. He knew there was great difficulty in practice at the present time in regard to election expenses. Many Members and candidates made up their returns so as to include all the expenses they had incurred up to the last farthing, and that was the intention of Parliament; but in many cases only the amount spent after the issue of the Writ was returned. That was an evasion of the Act; but he thought the observations of the Attorney General showed the difficulty they were now in. A man might, in order to recommend himself to a constituency, go down, take great interest in their local affairs, and spend a great deal of money; but, according to the Attorney General, if he did not appear in the character of a candidate he would not come within the limits of this section, and he could practically carry on a canvass which could not be so treated. Such facilities for evasion were traps, and were exceedingly injurious to a constituency, and to the morality of Parliamentary life. He did not see how the difficulty was to be got over; but it seemed to him that these provisions tended rather to the creation of offences and of dishonest men, who would make use of the strict terms of the Act in order to attain their own ends. He hoped some means might be found for defining the period at which an election might be said to commence fairly and honourably between all parties, and that he hoped in the interest not only of individual Members, but of purity of election and of the rights of the constituencies themselves. But any attempt at a definition only seemed to create fresh pitfalls; and, therefore, he should wait for some further explanation from the Attorney General before he would attempt to say what course he should take.

SIR CHARLES W. DILKE said, he agreed with the general principles laid down by the right hon. Gentleman (Mr. W. H. Smith), who saw the immense difficulty of defining the date of the commencement of an election. The date of issuing the Writ had been mentioned; but there might have been expenses before that time, which clearly were election expenses. For example, he (Sir Charles W. Dilke), in preparation for the Election of 1868, issued his address in June, 1867, and therefore he was before his present constituency as a candidate from June, 1867, to November, 1868; and so were his former Colleague, Sir Henry Hoare, and the two candidates of the opposite Party. They were all candidates from that time, and they returned their expenses from June, 1867. On the other hand, he knew cases in which persons had appeared before constituencies and had incurred no expense at all—they had merely made themselves known in the simplest way. His own case, however, would show how far back the expense might go, and how unwise it would be to draw a fast line.

SIR R. ASSHETON CROSS said, he was afraid that candidates might be led into some trap owing to the connection of this section with the Interpretation Clause. If hon. Gentlemen would look at Clause 60 they would see there was a definition of who was a candidate. A man might spend money and not regard himself as a candidate. It was possible that, when he absolutely became a candidate, he would find he had incurred expense under Clause 7 in excess of the maximum. The Committee ought to take great care, therefore, that they did not lay a trap for honest people, who might honestly believe that they were doing what was perfectly right, and yet, when they came to investigate the matter, they might find they had trusted to the Interpretation Clause, and they had spent money before they became candidates within the meaning of that clause. When they came to make a return of their expenses they would find they had been mistaken in the view they had taken, and that they had dropped into a pit-fall. He hoped the Attorney General would take a note of the point he had raised.

THE ATTORNEY GENERAL (Sir HENRY JAMES) was understood to say he would guard against such a case occurring.

MR. A. J. BALFOUR said, that, according to the statement of the President of the Local Government Board (Sir Charles W. Dilke), a candidature might continue, within the meaning of this Act, for 18 months. If that were really so, were the personal expenses of a candidate under the Act to be limited? Was there no limitation on the personal expenses of a candidate?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, there was no limitation upon the sum that a candidate might expend for his legal personal expenses. A candidate might spend what he liked, if he would only return the sums he spent.

MR. A. J. BALFOUR said, a maximum which was fair for an election which went on for three weeks could not possibly be fair for an election which went on for 18 months. He hoped the Government would find some means of relieving them from a dependence upon Judge-made law.

MR. W. H. JAMES said, he thought there should be as short a time as possible between a Dissolution and the constituents going to the poll. When General Elections arose, they could not be in the least certain what would be the influence bearing upon a Prime Minister in deciding how long the election might last. At the time of an Election, what the different Parties were mostly concerned in was which Party was likely to win. Candidates might have very indiscreet supporters, who, in their excitement, incurred expenses and laid traps for candidates which, if they fell into, would lead to unpleasant consequences. He (Mr. James) was inclined to think that the clause would find good work for the lawyers in the shape of Election Petitions. He could see the difficulty and objection there was in defining the commencement of an election; but he was afraid, with the hon. Member for Londonderry (Mr. Lewis), that the Bill would very likely be a hard one for honest men, and an easy one for unscrupulous men. There were knaves and fools, and he feared that, as this clause was drawn, there would be found knaves ready to take advantage of it.

BARON HENRY DE WORMS said, he considered the question raised by the noble Lord (Lord George Hamilton) was one of immense importance, and that it was in no way met by the answer of the hon. and learned Gentleman the Attorney General (Sir Henry James). They were not there merely to pass the Bill, but to make it a workable measure. It seemed perfectly absurd that when an objection was raised they should be met with the answer on the part of the Government that either it would be considered later on, or they should suggest some means of getting the Government out of the difficulty they had created. His right hon. Friend the President of the Local Government Board (Sir Charles W. Dilke) gave the Committee his experience in regard to the Election of 1868. He (Baron Henry De Worms) also was a candidate in 1868. He issued his address in the month of August; but he did not think of returning his expenses until after the election really began. He should like to know whether, in the memorable case of the Prime Minister's canvass in Mid Lothian, the expenses of the special trains which were used in conveying the right hon. Gentleman to different parts of his constituency were returned as legitimate expenses connected with the election? There occurred in the Bill the words "before, during, or after an election." He would like to know from the Attorney General what the word "before" was to be understood to mean. At what period was an election supposed to commence? Because, after all, that was really and truly the gist of the whole question. He was desirous of knowing what the expenses were which should be considered election expenses, and when those expenses legitimately commenced. His hon. Friend the Member for Hertford (Mr. A. J. Balfour) had raised an important point—namely, that as to the difference between personal and election expenses. It was very necessary the Committee should know whether a subscription given to a charity would be reasonably considered as part of the expenses in connection with an election. He took it to be the fact that as soon as one election was over the next one virtually began. Whenever a difficulty of this kind arose, and a matter was not defined and not capable of being explained by the Attorney General, the hon. and learned Gentleman invariably fell back upon the decision of the Judges. They had to deal with the Bill on its merits, and if it was so obscure and so complicated that it could not be construed by ordinary common-sense individuals, the Government had better throw it up altogether. He might remind the Attorney General that the Judges had denied that they had any jurisdiction in matters of equity; one Judge had said they had; but the majority of Judges had maintained that they had not. He hoped that before the clause was disposed of the Attorney General would give the Committee some definition, and not trust to Members on the Opposition side of the House helping him out of the difficulty he had got into.

The SOLICITOR GENERAL (Sir Farrer Herschell) thought that if there was one thing that Members on all sides were agreed upon it was the expediency of putting a stop to extravagant expenditure at elections by fixing a maximum of expense. ["No!"] Well, that was a matter upon which the majority of Members was agreed; indeed, the hon. Member for Londonderry (Mr. Lewis) had picked that out as the one bright spot in the Bill—[Mr. Lewis: The one workable.]—the one workable part of the Bill. But, according to the hon. Member who had just sat down, they must give up the Maximum Schedule altogether, because of the difficulty of defining when any election began.

Baron HENRY DE WORMS said, he did not say so. What he did say was that all they had to do was to find when the actual expenses of an election commenced.

The SOLICITOR GENERAL (Sir Farrer Herschell) maintained that if they fixed any time they must give up their Schedule of maximum expense, because whatever time they fixed they would have unlimited expense previously. It was absolutely impossible to fix a date without at once providing for the evasion of the maximum expenditure. The hon. Member for Greenwich (Baron Henry de Worms) said they did not want a matter of this sort to be decided by Judges; but they wanted common sense to decide it. He (the Solicitor General) thought this was just one of those matters that common sense could decide. He was certain that if a man honestly endeavoured to carry out the provisions of this part of the Bill he would be subjected to no danger. The hon. Member said also that they talked of the Judges dealing equitably in the matter; but the Judges themselves had said they had no equity power. But it was proposed to give Judges the fullest equity power, and if they did that, was not a candidate perfectly safe—["No!"]—as safe as it was possible to make him? He could not conceive the slightest danger or risk to any person who honestly meant to carry out this clause. It was said whatever maximum they fixed would be an improper maximum if the candidature was an exceptionally long one. A person might make himself known to a constituency for a very limited amount; he might address meetings and otherwise make known his views at very small cost, and when he knew that the total amount he had to spend was only so much, whether his candidature was short or long he could "cut his coat according to his cloth." If he honestly endeavoured to do that the promoters of the Bill had taken care that any accidental miscalculation or mistake could not hurt him. He (the Solicitor General) submitted to the Committee that in doing that they had done all they could practically do. If any hon. Gentleman could improve upon that they were quite ready to listen to him with the utmost satisfaction.

MR. WARTON said, the further they proceeded with the Bill the more clearly they saw how absurd and ridiculous its provisions were. Early in the discussion he proposed that an election should be supposed to commence 28 days before the polling day. There was a definition at once, and he put it to the common sense of the Committee—a faculty to which Ministers were always appealing, but which they never used—he put it to the common sense of the Committee whether 28 days before an election would not be a better time than the 17 months' candidature of the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), or the four or five months' election which was inevitable in 1868? It was all very well for the Attorney General (Sir Henry James) to say—"Oh, I don't approve of the length of time given in 1868;" but it was possible this Parliament might expire under somewhat similar circumstances. It was possible that at the end of next Session, or the Session after, some Bill might pass for altering the electorate—perhaps the extravagant ideas of the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) might be adopted. ["Question!"]

THE CHAIRMAN: I must call upon the hon. and learned Gentleman to deal with the Amendment before the Committee.

MR. WARTON said, he was trying to do so, and he did not think it would have been suggested to the Chairman's mind that he was not addressing himself to the Question if it had not been for the howl on the other side of the House. He maintained he was sticking closely to the Question when he said that the Attorney General was wrong in saying that they could not have again what happened in 1868. He was saying that an alteration might take place in the constituencies of the country, some Reform Bill might be carried, and it might be the avowed policy of the Government to dissolve Parliament a short time after. Parliament might expire in August—it might be in the interest of the Government, probably for some reason of their own, not to have the election until November. He asked if it was fair to have a period of three months during which election expenses might go on, and compel men to narrow their expenses within the paltry limits of this Bill? Twenty-eight days would be a good time to fix, because when a vacancy occurred an election was generally held within that time. He did not want to make imputations, but the only class of men this clause would help would be the candidates who held cheap meetings all over the country, lecturing to Radical constituencies, making at a cheap rate political promises that could never be kept, and promising things that could never be given, acts to which decent men, who desired the expenses of the election contest to be honestly carried out, could not and would not resort to. That, he contended, was the worst sort of political corruption, of which there was a monopoly on the other side of the House. There were such terms in the Bill that he was sure it would operate unjustly if carried into law.

MR. BRYCE desired to make a few observations of a strictly practical nature. It had been said that the longer an election lasted the greater, necessarily, was the expense. His own experience was rather the other way. No one who knew anything of electioneering could suppose that if an election lasted for 12 months they must, necessarily, spend even twice as much money as if it only lasted one month. Long elections, as a matter of fact, were often cheaper than those hastily conducted, because the greatest expense was generally incurred in the hurry and confusion of the last few days of an election taken suddenly. At the last General Election he came before the constituency of the Tower Hamlets, which numbered 44,000 electors, 16 months before the election actually occurred, and during those 16 months he did not spend more than £50 or £60. The consequence was that when the election came on, such was their state of preparation that his Party were able to conduct the election at a much smaller expense than would be allowed under the Maximum Schedule of the Bill. It was during the last few days of hasty and excited elections that great expense was usually incurred; and he, therefore, hoped the Attorney General would adhere to the clause in its present shape.

Mr. STUART-WORTLEY said, it seemed to him that if the Government were in earnest in desiring to put down corrupt practices, it would be logical for them to omit entirely the words "whether during, before, or after an election," because then the clause would be confined to election expenses of all kinds incidental to the election. He wished also to offer this suggestion as a practical way of meeting the need for a definition—namely, that the election should be taken to commence at the time when the candidate issued his election address, because that was the moment at which his decision was irrevocably taken to become a candidate. The Attorney General had said that a man might never issue an address; but, unless the candidate wished to advertise his desire to evade the provisions of the Bill, it stood to reason that he must issue an address at some time or other, when he resolved to become a candidate, and, in his (Mr. Stuart-Wortley's) opinion, it would be monstrous to hold a candidate responsible under this Act for the expense incurred in making his views known to the electors, perhaps, two or three years before an election.

Mr. GORST said, he desired to remind the Committee that they were now debating a point which was debated and decided by the Committee some three weeks ago. The hon. and learned Gentleman the Member for Bridport (Mr. Warton) had reminded the Committee of that fact by making over again the speech he (Mr. Gorst) well remembered the hon. and learned Gentleman made on that occasion. Upon the clause relating to treating the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes) proposed that corrupt practices could only be committed three months before, or during, or after an election. The Committee thoroughly considered the Amendment, and it was ultimately decided, by the Gentlemen who sat on the Front Benches, that it was impossible to define the commencement of an election; as a matter of fact, if they defined the commencement of an election by any means whatever, corrupt expenditure would be incurred before the day fixed arrived. They were now only repeating what they had already done; they were now trying to determine the precise date on which an election was to commence. They could not do it; no one could propose such a definition, no one had done it, and no one was able to do it. Certainly, the hon. and learned Member for Sheffield (Mr. Stuart-Wortley) had ventured to do it; but it was simply wasting the time of the Committee to go on endeavouring to find that which it would be a very good thing if it could be found, but which the collective wisdom of the whole Committee had, as yet, been unable to find.

Mr. CALLAN said, he was much amazed at the suggestion of the hon. Gentleman the Member for Sheffield, who put himself before the Committee as a practical man having a practical suggestion to offer. That suggestion was that an election should be held to commence when a candidate issued his address. He (Mr. Callan) issued no address; he never addressed the electors, but they elected him on trust, and he hoped he was fulfilling that trust. The hon. Member for the Tower Hamlets (Mr. Bryce) had also spoken about electioneering expenses as a practical man; he had said that the longer the period of preparation the cheaper was the election. He (Mr. Callan) did not know whether there was any Member of the Committee who would agree with the hon. Member for the Tower Hamlets in this; but he (Mr. Callan) was certainly of opinion that if, during 16 months, the hon. Gentleman only spent £50 or £60, his position was a most enviable one. He trusted the hon. and learned Gentleman (the Attorney General) would resist all limitations whatever; certainly if he attempted to fix any limit of time, outside which an expenditure in a constituency would be illegal, the hon. and learned Gentleman might as well abandon the Bill altogether.

MR. RAIKES said, he should not have taken part in this discussion but for the fact that the hon. and learned Gentleman the Member for Chatham (Mr. Gorst) just now referred to an Amendment which he (Mr. Raikes) proposed upon the very first day the Bill was in Committee. The question raised by that Amendment was not similar to the question now under consideration. The proposal he submitted to the Committee on that occasion related to treating, and was to the effect that treating, to be considered a corrupt practice, should have taken place three months before, during, or after an election. If the Attorney General had accepted that Amendment he might have saved himself a good deal of subsequent discussion. Now they were called upon to consider a question which was not identical to the one he formerly raised; the question now under consideration was as to illegal practices. It might be difficult for the Attorney General (Sir Henry James) to find a date at which an election was to commence, having regard to the cost of the elections as defined by the Schedule; but he (Mr. Raikes) thought it would be pretty clear to most Members of the Committee that the expenses in question were certainly calculated to be merely the actual expenses of an immediate election. He was still of opinion that some date should be fixed at which the expenses should not be considered election expenses. If that course were not adopted they would certainly have to make some alterations in the Schedule dealing with the amount a candidate might legally expend.

MR. BIGGAR said, he hoped the Government would adhere to the clause, and for a variety of reasons. One great source of corruption with regard to electioneering affairs was not the work of the candidate at all. There were always a few people who were exceedingly anxious to be bribed, directly or indirectly. The consequence was that a candidate was fleeced in all manner of ways, and the result of making it an illegal practice to submit to be fleeced would have a very salutary effect. There were subscriptions for cricket clubs, yacht clubs, race meetings, and the like. All these things came within the rule of illegal practices, if the subscriptions were given to any large extent. He very strongly objected to subscribe to anything of the kind, and a few years ago he positively refused to subscribe to a race meeting at Cavan. In January last he was in Cavan, and he got some posting done. The proprietor of the hotel was not an elector, or, strictly speaking, if he had been, what he (Mr. Biggar) did would have brought him within the province of an illegal payment. He was charged much beyond the ordinary trade price. Had he paid such a bill, and this Act had been in operation, he supposed he would have been guilty of committing an illegal practice. That sort of thing was exceedingly common. He might give the Committee the benefit of another illustration. Some time ago he and a few friends took dinner in an hotel in the county of Cavan. The person who kept the hotel was an elector, and he charged them at least three times the ordinary trade price. He believed that such a thing as that would have been held to be an illegal practice under this Act; and he considered, in the interest of Members who were fleeced by their constituents, the learned Attorney General ought to resist any alteration of this clause. He was of opinion that one of the good things of this Bill was the discouragement to the levying of black mail on Members of Parliament, or those who wished to become Members of Parliament.

MR. R. N. FOWLER said, that they in the City of London had to go to considerable expense in the way of advertisements—to far greater expense, in fact, than candidates in other constituencies. The hon. and learned Gentleman the Attorney General probably only put his address in a weekly paper in Taunton, and, therefore, his expenses in advertising must be very trifling. The candidates in the City of London, however, had to advertise in *The Times*, *The Standard*, *The Daily News*, *The Daily Telegraph*, *The Morning Post*, *The Morning Advertiser*, and several evening papers. [An hon. MEMBER: No; not *The Times.*] An hon. Gentleman said he did not put his advertisement in *The Times;* he (Mr. R. N. Fowler) supposed that if this Bill passed they would be practically prohibited from doing so. If a candidature was to last for 16 months, as in the case of the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke), the candidate must advertise; and he (Mr. R. N. Fowler) did not see how, in the matter of advertisements alone, they could conduct elections as they had hitherto done.

Mr. LEWIS said, he had not yet heard any practical illustration given of the differences between General Elections—between, for instance, the General Elections of 1868, 1874, and 1880. They all knew that the Election of 1868 was, from force of circumstances, inevitable at the end of the autumn of 1868; there was practically a four months' contest. In 1874, however, they had a totally different state of circumstances. It would be in the recollection of most Members that the Dissolution took place all in a moment, and that the contest in many constituencies only lasted a week—one week as against three months in 1868. Now, what was the case in 1880? There was an intermediate period somewhere between three and four weeks. They therefore saw in the case of the three General Elections he had referred to a totally different state of things as regarded the basis of expenditure; and he had no doubt many hon. Members of the Committee were as much astonished as he was to hear of the extraordinary experience of one of the Members for the Tower Hamlets (Mr. Bryce), that the longer the election the cheaper it was. He could only say that it would be a very beneficial thing if the hon. Gentleman could give them all a lesson as to the mode of conducting a cheap election. The right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke) and the hon. Gentleman the Member for Greenwich (Baron Henry de Worms) conducted their elections upon very different principles. The one—namely, the right hon. Gentleman the President of the Local Government Board—returned his expenses from the very first moment he appeared before the constituency of Chelsea, whereas the hon. Member for Greenwich only returned his expenses from the time the election proper commenced; in fact, his hon. Friend (Baron Henry de Worms) took a very common-sense course. They saw what a different result might have befallen those hon. Gentlemen had Petitions been brought upon the state of facts disclosed. The 60th clause of the Bill defined the meaning of the word "candidate." He entreated the attention of the Committee to this point. The 60th section of the Bill said—

> "In the Corrupt Practices Prevention Acts, as amended by this Act, the expression 'candidate at an election' means, unless the context otherwise requires, any person elected to serve in Parliament at such election, and any person who has been nominated as a candidate at such election, or has been declared by himself or by others to be a candidate."

One was to infer from that that a candidature at an election did not commence until a man was declared to be a candidate. But that was not the obvious meaning of the words "before, during, or after an election." They, therefore, again came face to face with the difficulty which the Attorney General would not meet—namely, the inequality of the circumstances of one General Election as compared with another. He considered that it was exceedingly important that this matter should be dealt with practically by the Government before this part of the Bill was disposed of.

Lord GEORGE HAMILTON said, that after the wide difference of opinion which existed in reference to his Amendment he would not put the Committee to the trouble of a Division. The hon. and learned Gentleman the Member for Chatham (Mr. Gorst) had said that this Amendment had been previously discussed. That was not exactly the fact, because in the one case they were dealing with corrupt practices, and in the other case with illegal practices. A corrupt practice was always a corrupt practice, but was under this Bill illegal, not from its being inherently bad, but because it was committed during an election. He, therefore, wished to define the limits of the period during which an act otherwise innocent would be illegal.

Amendment, by leave, *withdrawn.*

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again upon *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MINISTER OF EDUCATION.

RESOLUTION.

SIR JOHN LUBBOCK, in rising to call attention to the fact that the Minister whose duty it is to bring forward the Educational Estimates in this House has never any power of appointing the officers to whom the administration of the Votes is entrusted; and to move—

> "That, in the opinion of this House, it is desirable that there should be a separate Department of Education,"

said, the noble Lord the Member for Middlesex (Lord George Hamilton) had a very similar Motion on the Paper, and he would have been glad to surrender his place to the noble Lord; but it would be an advantage that he should speak a little later, and to a larger House. This was no new question. As long ago as 1856 the late Lord Derby said—

> "It appeared to him well worthy of consideration, whether it would not be well to supersede the Privy Council altogether in this matter, and to have a Minister as the Head of a Department, who should have no other duties to perform, and who should be, in fact, responsible for the education of the people. . . . He had a strong feeling that the institution of a Minister of Instruction was desirable, and that the subject should be altogether separated from the Privy Council."—(3 *Hansard*, [140] 815-6.)

In 1862 the noble Lord the Member for Chichester (Lord Henry Lennox) brought forward a Resolution calling on the House to affirm that for the Education Estimates and for the expenditure of all monies voted for the promotion of Education, Science, and Art, a Minister of the Crown should be responsible to the House. Sir John Pakington, in 1865, moved for a Select Committee to inquire into the constitution of the Committee of Council on Education, and urged, in the course of his speech, that—

> "The great duty of superintending the various branches connected with the Department of Education should be entrusted to some one responsible Minister—some Minister who should be regarded as a State officer of high authority, who should have the sole conduct of that Department, and be solely responsible."—(3 *Hansard*, [177] 849.)

The Committee was appointed in 1865, and re-nominated in 1866. They examined numerous witnesses, and among them the then Vice President of the Council and his Predecessor, Lord Aberdare and Lord Sherbrooke; and it was remarkable that those two right hon. Gentlemen gave totally opposite versions of the position of Vice President—one considering that he was practically an Under Secretary of State, the other being of opinion that his position was materially different; one considering that he was responsible to the House of Commons, the other that the Vice President was responsible to his Chief only. Lord Russell, also, who was questioned with reference to this particular point, said that he found it very difficult to make up his mind on the subject, but would say generally that the Vice President was more responsible in certain cases than in others; while, in some instances, when—

> "The question depends on the discretion of the Lord President, it can hardly be said that he is responsible at all."

Lord Russell expressed the opinion that at the time he spoke a Minister of Education was not necessary; but he added that the time might come when we should have a national system of education founded on rates. He said—

> "Before this could be done there are great difficulties which would have to be got over; but if ever they should be got over, then I say that a Minister of Education would be desirable."

The result of the evidence given before the Committee was that the Chairman, in his draft Report, proposed—

> "That there should be a Minister of Public Instruction with a seat in the Cabinet, who should be intrusted with the care and superintendence of all matters relating to the national encouragement of science and art and popular education in every part of the country."

At the moment, however, when the Committee were about to discuss the Report, Ministerial changes took place; and the Committee consequently decided, though with great regret, that they could not enter with advantage on the discussion of the question. They, therefore, contented themselves with reporting the evidence. In the year 1868 Mr. Disraeli's Government introduced a Bill to create a sixth Minister of State. The Duke of Marlborough, in bringing forward the Bill, said that—

> "Having fully considered the subject, Her Majesty's Government have come to the conclusion that there is enough work and a sufficiently large field of enterprize to engage the attention of a special Department of the State; and it is, therefore, the intention of the Government to propose that Parliament shall empower Her Majesty to appoint a Secretary of State, who shall have the whole range of educational matters under his consideration and control."—(3 *Hansard*, [191] 120.)

Lastly, in 1874, the right hon. Member for the University of Edinburgh (Sir Lyon Playfair) once more brought the matter before the House, and urged the same view with his usual ability. On that occasion he was supported by the right hon. Member for Bradford (Mr. W. E. Forster), to whom the country was indebted for the Act of 1870, the Magna Charta of our educational system. The right hon. Gentleman in the debate of 1874 made a most powerful speech. He pointed out that we had to fight a battle against ignorance, which was a misery to many and a danger to all, and that we were not likely to gain the day unless we had a responsible General. He might quote the Prime Minister himself, who said in the same debate—

> "He must admit that there was much to be said in favour of the general principle that the expenditure of money with the view to the promotion of education in science and art should be placed under the control of a single responsible Minister."

It was true that on that occasion the right hon. Gentleman supported the Previous Question; but in doing so he added—

> "I am ready to admit that you are entitled to expect that we should show you that we have advanced, and are advancing, in the direction which you suggest."

He had now quoted the opinions of three Prime Ministers, and as many Vice Presidents of the Council, in support of this proposal; and he trusted his right hon. Friend and the House would not think him unreasonable in asking them now to take the final step. Every argument adduced in former years had been strengthened by succeeding events. The funds devoted to education were far larger; in fact, the Education Office might be said to have become a great spending Department. In 1856 the sum devoted to Class IV. was £500,000. Even in 1862, when the noble Lord the Member for Chichester (Lord Henry Lennox) brought forward his Resolution, the sum was £2,266,000, which he called an "appalling amount;" but it had now risen to £4,750,000. He did not know what epithet the noble Lord would now find strong enough. But the magnitude of the expenditure was by no means the strongest argument. They were sometimes, indeed, told that there was a Minister of Education, and that the President of the Council was that Minister. But the President did not conduct the Business. Sir Ralph Lingen, in his evidence before the Committee of 1865, told the Committee—

> "I have transacted all Business with the Vice President with the most trifling exceptions, and those quite accidental."

The Vice President, he said, "did infinitely more work than the President;" and that, he believed, had been equally true down to the present time. The Vice President, in fact, did all the Office work, and all the House of Commons work. He was in constant communication with the officials, knew the Inspectors, and watched over the working of the Office; and yet the appointments, and, what were even more important, the promotions, rested with the President. Moreover, the President was now to be Minister of Agriculture, and this would surely give him plenty to do. He need hardly say that he was making no attack on the noble Lord the President of the Council. No one expected him to fulfil the duties. He should, perhaps, be told that the present system secured a spokesman in both Houses of Parliament, and that it had, on the whole, worked well. But, considering the character and qualifications of those who had held the Office of Vice President of the Council, no system could have really broken down. The arrangements had worked fairly well, in spite of the system. Of course, he did not know the secrets of the Office; but, if report spoke true, the system had caused great friction, and thrown much additional labour on the Vice President, as well as on the chief officials, and must have often placed them in very difficult positions. No man could serve two masters. The arrangement of the Education Office could not be compared with that which placed a Secretary of State in one House and an Under Secretary in the other, because there we had one recognized Head, and everyone knew where the responsibility rested. But in this case the division of functions was very ill-defined, and while the Vice President did the duty, the President had the power. Things were done really by the one, and nominally by the other. The Vice President was chosen for his knowledge of educational subjects; but the President was selected on quite different grounds, and yet the real power rested with the latter. He had all the appointments; the arrangement of the staff and the distribution of their duties were settled by the President, and that though the real work of the Department was done by the Vice President. There was, indeed, one way in which he trusted that the duties of the Vice President would not be lightened. He trusted that in any changes which might be in contemplation with reference to Scotch Business, there would be no proposal to separate the English from the Scotch Education Department. To do so would be a great mistake. At present, the Scotch and English experience benefited one another. They acted and re-acted most beneficially. To separate them would create a number of intricate questions which did not now arise. Moreover, they knew that in the admirable staff of the Education Department there were a large proportion of Scotchmen, who worked very much to the satisfaction of the country. Further, under the present system, the Head of the Department was never in that House; and it was a remarkable anomaly in our system that the Minister who was responsible for the appointments and the Estimates was never in the House of Commons. He knew he should be told that Lord John Russell was for a time President of the Council while a Member of that House; but that was an exceptional case, and they all knew that it was very unlikely to recur. Another important respect in which the present system appeared to be inconvenient and anomalous was as regarded the reception of deputations. The Vice President made himself conversant with the question; he was thoroughly master of it; and yet the official answer was given by the President, after, perhaps, a short consultation with his Colleague. Only last week an important deputation came up from Wales on the question of intermediate education—a question to which his right hon. Friend the present Vice President was known to have devoted great attention. But a short answer was given by the Lord President, and the Vice President did not appear to have been allowed to say a word. Moreover, the legislation of 1870, 1873, 1876, and 1880 had altogether altered the condition of affairs. We had now a great national system, the most efficient working of which was of the greatest importance. It was remarkable that ours was the only considerable nation of Europe which had not a Minister of Education. In France, so important was the post considered, that the Minister of Education was not unfrequently the Head of the Government. At the present moment, the Minister of Education, M. Jules Ferry, was also Prime Minister. And yet there was no country in the world where a Minister of Education had such onerous or important duties to fulfil. In other countries, moreover, the grants were generally made in lump sums; and he believed ours was the only one where there was an individual examination of children, with payment by results. No one would deny that there would be plenty of work for a Minister to do. Besides the very important duty of administering the large and increasing grant for elementary education, he would have to consider the various schemes framed by the Commissioners under the Endowed Schools Act. The relations of primary and secondary education were becoming every day more important. At present, schemes were made; but no power existed to ascertain from time to time that they were working efficiently. Moreover, the Government had undertaken to deal with Welsh intermediate education. He would only add, in conclusion, that if his right hon. Friend the Vice President of the Council was, as the country, no doubt, considered him to be, really Minister of Education, then we had the anomaly that the Minister of Education was not Head of his own Office, and was under the Minister of Agriculture. On the other hand, if we were told that the President of the Council was the Minister of Education, then we were in this extraordinary position—that the Minister of Education undertook none of the duties of his Office. In either alternative it was most desirable that a change should be made, and the whole question placed on a more satisfactory footing. It was not necessary to say that he had no desire to press the particular words of his Resolution, if any other proposal in the same direction would be more acceptable to Her Majesty's Government; or, if Her Majesty's Government preferred to suggest a Committee, he would willingly do so; but he was anxious that some step should be taken in the direction indicated by his Motion. The whole subject was as vast and intricate as it was important. There were various other considerations which ought to be urged. There were, however, many hon. Members to speak, and he was reluctant longer to intervene between them and the House. Moreover, while conscious of the imperfect manner in which he had brought the question before the House, he felt that the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair), the noble Lord the Member for Middlesex (Lord George Hamilton), and others would amply make up for all deficiencies on his part. He hoped the Government might be disposed to look favourably upon the proposal. To use the words of the Prime Minister himself, during the debate of 1874, he trusted we should be able to show the country that we had advanced, and were advancing, in this direction. He thanked the House for allowing him to bring this matter forward; and he sincerely trusted that the Government would see their way to meet them with respect to the Motion he now begged to move.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that there should be a separate Department of Education,"—(*Sir John Lubbock*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Viscount LYMINGTON said, he agreed with the hon. Member for the University of London (Sir John Lubbock) as to the anomaly which now existed between the official and the Parliamentary position of the Vice President of the Council. Nothing was more opposed to the principles upon which they generally acted than to impose upon the Vice President of the Council the administration of funds, while he had no direct responsibility as to the selection of the agents and machinery of that administration. In 1864, in consequence of the alleged mutilation of the Inspection Reports, which produced the resignation of Mr. Lowe, a Select Committee was appointed to examine into the duties of the Vice President. Two Lord Presidents, Lords Granville and Russell, and three Vice Presidents were examined, and they all stated that the Lord President was alone responsible for the administration. But since 1864 the anomaly had increased tenfold, for in that year the whole amount expended on education was only £840,000. In 1880-1, it was £2,536,000; in 1881-2, £2,688,000; and in 1882-3, £2,749,000. Thus the annual increase was nearly £100,000, and the Education Vote had thus become a very serious item in our public expenditure. It was, therefore, of the utmost importance that a full investigation should be made of that expenditure, and that effective Parliamentary control should be exercised. It was inconsistent with our general Parliamentary system that such an expenditure should be subject to the control of a Minister who was almost invariably a Member of the other House of the Legislature. The Education Department was every year becoming a great spending Department; and it had the advantage over other spending Departments, that even the most rigid economists were little disposed to criticize it in an unfavourable sense. It was thus specially desirable that the Head of the Department should be an active and influential Member of the Lower House. Of the anomalous character of our present arrangements no stronger instance could be given than that of the right hon. Member for Bradford (Mr. W. E. Forster), who was admitted into the Cabinet as Vice President, and thus placed upon an equality with his Chief. Sir Ralph Lingen, the Secretary to the Department, stated, before a Select Committee, that the Vice President did nine-tenths of the educational work of the Office; and yet, while Mr. Forster did this and the bulk of the Parliamentary work, it was the President who dispensed all the patronage. Another disadvantage of the present dual system was that it was difficult, and might sometimes be impossible, for the President of the Council to unite in himself the qualities which went to make a good Minister of Agriculture, and that practical, scientific, and technical knowledge which was required by a good Minister of Education. The views which his hon. Friend had so well expressed were no new ones; but had been expressed by Lord Derby in 1856, and by Lord Russell in 1865, both of whom expressed their decided opinion that, as education advanced in the country, a separate Department would have to be created with a Minister directly responsible to Parliament at the head of it. Then there were great institutions of the country which were managed and controlled by private bodies, and to which large sums of public money were annually voted. No Parliamentary control could be exercised over the spending of those sums. The British Museum, for instance, received £142,000 a-year. He did not for a moment suggest that the money was not well administered; but it was against public policy that such a system should exist, as placed the administration of such funds under the control of irresponsible Trustees. The soundness of the general principle for which he was contending had been admitted by the right hon. Gentleman the Prime Minister himself, when the question was brought forward by the noble Lord the Member for Chichester (Lord Henry Lennox). Then there were the National Galleries in London, Dublin, and Edinburgh, all of which were administered by bodies over whom Parliament exercised no efficient control. There was, in fact, an utter confusion in our present administration of education funds. In the Scotch Universities, for instance, the Regius Professors were appointed by the Home Secretary; while in the Queen's University in Dublin they were appointed by the Lord Lieutenant. As to the system of endowed schools, and those directly endowed by the State, they had still a lively recollection of the Report on these schools some years ago, which exposed a system of jobbery and waste of something like £700,000 a-year. At that time there was no Minister to whom the care of these schools could be intrusted, and the result was that the House had to delegate its authority to a Commission, which was still in existence. But a delegated authority was always very untrustworthy; it was subject to no external pressure or outside opinion, but was apt to resolve itself either into an easy obedience to its own internal lights and prejudices, or else to a blind submission to the influence of a master mind, who was threatened with no serious opposition or the pressure of public opinion. Schemes were made for the reform of schools; but Parliament had no means of knowing whether the schemes were working well or ill. No reports were made as to the result of the schemes, nor had they any power to inquire into the working of the schools. In short, Commissions of this kind were not sufficiently exposed to the pressure of public opinion. If they were really in earnest about secondary education, it was necessary, in regard to all schools in possession of large endowments, that Parliament should have some power of being able to test whether, in return for their large revenues, they were able to show any corresponding system of educational efficiency. It was idle to hope for any permanent improvement until these schools were rendered liable to some efficient system of control by Parliament. They could not reasonably hope that such a system would exist so long as the Minister who superintended these matters had no direct responsibility, or any real control over the Office or the resources which were at hand. For these reasons he supported the Resolution of his hon. Friend.

LORD GEORGE HAMILTON said, he had a Notice on the Paper, the effect of which was similar to that of his hon. Friend the Member for the University of London. It ran as follows:—

> "That, in the opinion of this House, the recent important addition to the duties of the Lord President of the Council offers a favourable opportunity to put an end to the dual system of administration at present existing in the Education Office, by relieving the Lord President from direct responsibility for that branch of the Privy Council, and by making the Vice President of the Committee of Council upon Education the legal head of that Department."

His noble Friend (Viscount Lymington) had raised another question. All he (Lord George Hamilton) suggested, and all that his hon. Friend the Member for the University of London (Sir John

Lubbock) proposed, was that the Vice President should be the Head of the Education Department; but whether they were inclined to enlarge the scope of his powers and duties in the manner suggested by the noble Lord was another question. He hoped it would be understood that in supporting the Motion of his hon. Friend the Member for the University of London he did not take the same view as the noble Lord. With that view it was his intention to refer mainly to the speech of his hon. Friend the Member for the University of London. The noble Lord had spoken disparagingly of the Lord President; but if any hon. Member believed that by relieving him of all educational work his duties would become nominal, he entirely misunderstood the responsibilities of his Office. The Privy Council had invested in it more latent power than any other Department of State. At the commencement of the last century large administrative and executive powers were invested in it, and the King presided over it. When, little by little, the innovation of a Cabinet Council superseded it, there was still left to it certain inherent authority. No one must, therefore, estimate the responsibilities and duties of the Lord President merely by the ordinary routine duties he had to perform. As an illustration, they were all somewhat startled to see that an outbreak of cholera had recently taken place in Egypt. Supposing that that scourge were to spread, and it became necessary to enforce quarantine regulations, those duties would fall on the Lord President of the Council. Further, there was an anomaly as regarded the salaries of the Lord President, and of the Vice President. As a rule, the salary regulated the duties, but the salary of the Vice President was equal to that of the Lord President; though the position of the former in the Education Department was inferior to that of the latter his knowledge was necessarily greater as to the growing wants of education in the whole country, from his being brought in daily contact with educationalists. The proposal made that night was strictly in accordance with precedent. For some time the plantations and trade of the country were in the hands of the Lord President; but when the Colonies developed and trade grew so as to necessitate separate Departments, the Colonial Office and the Board of Trade were established, but no one would say that, therefore, the authority of the Lord President was much diminished by that dissociation. The present proposal, as pointed out by his hon. Friend the Mover, was practically that made by the Government 15 years ago. In the Report that was issued at that time, two points were made perfectly clear—first, that the great mass of the educational work was necessarily performed by the Vice President; and, secondly, that the Lord President, both by law and Order in Council, was directly responsible for everything done by the Vice President. The duties of the Vice President were entirely confined to education, and were considered in the discussion on the Estimates under Vote 4. If Vote 4 were abolished altogether the Privy Council would not be affected. He had had the advantage formerly of serving in that Office as the subordinate of the Duke of Richmond, whose knowledge of men and great practical experience made him a very pleasant Chief to serve under. Supposing anyone of less experience, or anyone disposed to make a less legitimate use of his authority, ever occupied that position, he believed that the present system would be found to be impossible. The relation between the Chief and the subordinate officials of the Privy Council did not resemble that in any other Department. If, for instance, the Under Secretary of State for India were asked a Question in the House he would give the opinion of the Head of his Department as a matter of course; but the House would not be satisfied with that from the Vice President—they would want his own individual opinion. If one official was subordinate to another at all, he ought to be thoroughly subordinate; whereas, if a difference of opinion arose between the President and the Vice President on any educational point, the President, whose experience of the Department was far less than that of the Vice President, would have to give way, for no Government could afford to spare a Vice President whom the House believed discharged his duties efficiently in consequence of a difference of opinion with the President, who was, as a rule, less well informed respecting the Business of the Office. He thought the time had arrived when they should make the

Vice President President of the Council of Education. He did not propose to abolish the Privy Council, but to give the Educational Department a distinct legal Head by making him the Head of that Department of the Privy Council which related to education. He was not altogether without precedent in the proposal he made, for Her Majesty's Government had already recognized it in the Order in Council relating to Agriculture, in which the name of the Vice President did not appear; and there could be no doubt that a sharp division had been recognized between the educational and other Departments of the Office. If the Lord President had at this time very large additional duties imposed upon him, in reference to agriculture, it was a fatal blot to continue to make him responsible for the Education Department. The Vice President had, up to the present time, performed the entire duties of the Education Department, and Lord Carlingford, although a nobleman who had held many Offices, had as yet had nothing to do with Education; and he did not think the noble Lord knew the working of their educational system. The change was really very small, and it would be a great relief to the permanent staff. He did not wish in the smallest degree to lessen the influence and dignity of the Lord President, nor did he think the change would have that effect so long as the present form of Government existed in this country, and the same onerous duties continued to be discharged by him; but he had given his reasons why he thought the Vice President ought to be placed in the first class of officials, and he trusted the Government would consent to his suggestion.

MR. GLADSTONE: I think, Sir, there can be little doubt that this is a question which is not only of great interest in itself, but is very fit for the attention of the House; and my hon. Friend who made the Motion has shown that it has, on various occasions, attracted that attention in a serious form, and even the attendance at 9 o'clock this evening was a distinct proof of the great interest that is felt upon this subject by a large number of the Members of the House. But my hon. Friend will admit, as a candid man, that upon the various occasions when the House has given its attention to this subject, it has not found itself in a position to proceed to any positive and practical arrangement in lieu of the arrangement that now exists. The question I would place before the House is, whether the time for proceeding to make such a change has yet arrived? In my opinion—I do not conceal it—the time has not arrived, and I think it would be an error if the House were to commit itself by an abstract Resolution to-night to a change, the grounds of which, and the character of which, it is quite impossible for us, in the course of this discussion, adequately to examine. Several topics have been raised, to which I will refer with the view to remove them, if possible, from the field of discussion. My hon. Friend thinks there is a great difficulty in the fact that that person who brings forward the Education Vote has not the power of appointing the officers to whom the administration of the Vote is entrusted. My answer to that is twofold. In the first place, in the Education Department there is an arrangement under which the President of the Council invariably communicates with the Vice President, and takes him into consultation on matters of patronage. There is no arrangement of that nature, so far as I am aware, in any other Department of the State. Therefore, so far as patronage is concerned, there is in practice no difficulty whatever; but, at any rate, there is a provision made which gives to the Representative of the Department in this House a power and a control in respect of patronage such as the Representatives of other Departments in this House—not being Chiefs of Departments—in no respect possess. But what is the value of this argument carried to its logical conclusion? The upshot of it is that every Head of a spending Department ought to have a seat in this House. That may be said. But you have got a Constitution to work with a double Chamber. There is one point, and only one, on which I feel I can speak with confidence and even with authority, and that is that I venture to say the House will make a fatal error if it does anything to increase the difficulties of constructing the Government in this House. The construction of a Government is the most difficult work that any public man is ever called upon to undertake, and I may illustrate what I have said by an anecdote of Sir Robert

Peel, who said to me the morning after he resigned in 1856—"Nothing in the world shall induce me again to undertake the labour of constructing a Government." But if you are to proceed by laying down cast iron rules, under which the Heads of every spending Department are to sit in this House, you will destroy that discretion and freedom of choice which it is absolutely of importance to preserve if you wish to have Governments constructed that are to be of tolerable efficiency, or to give any satisfaction to the country. To say that not only the Minister of Finance, but the Head of every spending Department is to sit in this House is a principle incompatible with a Constitution founded on the principle of a double Chamber. I believe there is no person who has ever held the Office of President or Vice President of the Council that will say that a practical difficulty has ever arisen in regard to the administration of patronage. In truth, I believe that with respect to the patronage of this Office it is not only desirable, but greatly necessary, to preserve it free from any taint of political influence. I may compare this Department to the working of the Revenue Department in that respect. All promotion in the Revenue Department has been preserved to the nonpolitical Member who presides over the Department, and the present arrangement is of no inconsiderable advantage in this respect, that it has effectually kept all patronage out of the reach of political influence and mere Party connection. It was next observed that a very favourable opportunity is to be found for acting upon an arrangement of this kind, in consequence of the appointment of what may be called an Agricultural Department. The noble Lord appears to think that the President of the Council is a man oppressed with Business; and, if you deprive him of the Business connected with education, he will still have upon his shoulders as much as the strength of any ordinary mortal will enable him to carry. That is not my opinion. My opinion is, that the President of the Council, as he now stands, is a man very moderately worked, and that he is not likely to undergo any increase in his duties in consequence of the agricultural arrangement. The contention is that the bulk of the Business ought to be done in this House; but if the bulk of the Business is done in this House, a proportionate amount of influence will fall into the hands of the person who does that Business; and I believe I am right in saying that it is the opinion of the present as well as of the late Lord President of the Council that the position will be relieved of duty, and will not have additional duty thrown upon it in consequence of the new arrangement. And then it is said that in every foreign country there is a Minister of Education. But did my hon. Friend reflect upon the vital and essential difference of the position of a Ministry in a foreign country from that of a Ministry in this country? Did he reflect that the system of representation in each Chamber by men being Members of each Chamber is unknown in foreign countries; and that there the provision made is usually to this effect—that the Ministers shall be persons extraneous to the Chamber, or, whether extraneous or not, having the power of appearing in each Chamber to give an account of the affairs of his Department? Does not my hon. Friend see that that is a difference so vitally underlying, so deep, and so near to the root of our institutions, that it, in fact, governs the whole question, and that if you live under a system in which you are bound to provide for the representation of Parties in two Houses of Parliament, the conditions are essentially different, and in that respect you can draw no arguments from one to the other? People may say that it is a secondary matter whether Ministers shall have seats in the Chambers, or have a right to speak in the Chambers; but that is not the result of my experience. A great many matters that are called Constitutional changes are, in my opinion, things of much less importance and consequence than that rule of established law by which Ministers of the Crown must be not only speakers in, but Members of one of the two Houses of Parliament; on the one hand, responsible to the Crown, and on the other hand, responsible as the Representatives of the people, or Members of the House of Lords, and having the feelings of the Chamber in which they sit. I think that is a vital difference, and I do not believe it would be in the power of man—you may talk of the payment of Members and 20 other things—but I do not believe it will be in the power of man to suggest a more vital change in the institutions of this country than if you were to pass a law by which you were to be content with—instead of having a seat in this House—the Ministers of the Crown having leave to state their opinions before you without the responsibility which arises from their being like yourselves, Representatives of the people, and in all respects as responsible as you are. But now, again, Sir, there is a great desire for an effective restraint on the expenditure. But will anybody say there is a less effective restraint upon expenditure in the case of education, so far as the subject-matter admits of comparison, than in the case of the naval and military charges? My hon. Friend the Secretary to the Admiralty simply moves an Estimate to the amount, say, of £10,000,000. Have you, through the medium of his personality, any more effective check over the expenditure than you have over the expenditure of the Board of Education? No doubt the expenditure of the Council of Education is different in this respect from that of the Admiralty, that it is very largely governed of necessity by fixed rules, and that whatever system you establish, it must be to a great extent inflexible. But I will venture to say that the constitution of a Department, whatever may be its weaknesses or its faults, certainly gives to the House of Commons a security of fully as great a control through a responsible person, over the expenditure of a Department, as is given in other cases, perhaps even where the Head of the Department sits in this House, and certainly more than is given where the Head of the Department does not sit in this House. Well, Sir, what I wish to point out is this—that, in my opinion, it may be very unobjectionable; it may be proper and becoming, if it be thought fit, that the House of Commons should institute an inquiry into this subject, and make a careful examination of the facts; but I think that it is plain from the course of this debate that you are not in a condition to proceed with an examination of the facts. The three speeches we have listened to at the commencement of this debate proposed three plans. My hon. Friend who has made the Motion proposes the appointment of a separate Department of Education. The noble Lord does not go so far as my hon. Friend; he does not propose to take the Ministry of Education out of the Council Office; but he proposes to leave it in the Council Office as a Department of that Office; and I quite agree with the noble Lord that the Committee of the Council is in this instance an essential element in the history of this question. I do not know whether the Committee of the Council practically did much work under the last Government. I do not think it has done much under the present Government; but during the Government of which I was formerly the Head, the the Committee of Council did considerable work; and I wish to point out, as results are concerned, the critical and vital points of that system have not been discussed and settled from the year 1840 up to this time. It is a very important question whether that system should be kept alive or not. The noble Lord thinks that it should be; my hon. Friend the Member for the University of London (Sir John Lubbock) proposes the wider plan of the completely separate Department of Education, and the noble Lord the Member for Barnstaple (Viscount Lymington) goes further still. If that be so, I think I have made good my statement, which, perhaps, appeared a little startling at the first moment, that the three speeches with which the debate commenced proposed three plans, and it will be well for the House to know more of the comparative merits and practicability of these plans before committing itself to a broad declaration in special terms that a change ought to be made, and before committing itself to words which would still remain open to great dispute and a great variety of interpretation. My noble Friend the Member for Barnstaple engages in criticisms on the use of delegated authority, with respect to which I do not doubt that they have considerable force; at the same time he will have to learn more and more as he grows older, in what I hope will be a brilliant and successful career, the extreme imperfection of even the best contrivances of human government. I can assure him, at any rate, that after my long experience my opinion of human government, taken at the best, whether in Conservative or in Liberal hands, is that it seems every year that I live to verge a little further from the ideal; and, although it may be true that delegated authority has great faults, yet you cannot afford to dispense altogether with the assistance of delegated authority. Take, for instance, such a question as endowed schools. I think this is a matter for further inquiry; but it is probable that you might find that in dealing with these old foundations there was necessarily involved so much of a judicial element that they could not be quite safely intrusted to the sole influence of political action. You are almost compelled to interpose between the popular change and the important public interests the action of a body which, though I grant it may be open to criticism, as a certain amount of freedom from purely Party influences, and is not liable to the sudden and sharp mutations which may, in certain circumstances, attend upon changes of Government. As I have said, this question is one that deserves the attention of Parliament. I have no desire to withdraw the subject from his attention. I have no dogmatic proposition to lay down in answer to the Motion of my hon. Friend. I could not affirm it, and I should be sorry to meet it with a negative, because I hold it to be a subject calling for more information and for more inquiry; but happily the Motion which is made from the Chair, that the House should go into Committee of Supply, gives to those who think as I do the power to say by voting for that Motion that they do not think the time has come when a definitive Resolution can be framed on the matter. I will venture to offer a few words more on that point, to show that there is meaning in my words. There are three propositions which I think may very fairly be stated to the House. In the first place, I have very great doubt whether, even if we had a plan ready for altering the present arrangements in regard to education, it would be wise for us to make any declaration on the subject by way of Motion at this moment. But, secondly, we have no plan, and I do not think the time has arrived for it; and, thirdly, the subject ought to be a great deal more examined before we commit ourselves to a final opinion whether there should be such a plan or not. On the first proposition, I may say that every Member of the House—which is an Assembly of business men—knows perfectly well that our administrative changes are made piecemeal, and must continue to be so made. A great deal is to be said in favour of what is called a patched house, for most of us find that it is the most comfortable house in which to live. Let the House observe that we are not at this moment quite idle in the matter, and if we have this piecemeal reconstruction we must be content to take the changes in order and in succession. We have proposed to put into action a plan with regard to agricultural affairs; but that plan has not yet received the definite sanction of the House, and it may be reversed by the House. We have prepared, and are about to submit, another plan of administrative change for the better administration of Scotch Business; but we have not yet been able to make it known, and therefore cannot tell what will be the judgment of the House in regard to it. We know, however, that it touches upon the territory we are now dealing with, and I think the House ought to arrive at conclusions on these subjects before committing itself to any general declaration on the question of education. But I come to my second proposition—that we have not got a plan, and that the time has not come for making a plan, presuming that it ought to be made. I would point out to the House that the Business of the Council Office in respect to education has been in a state of almost incessant flux and change. At one time, it only superintended elementary education; but it has gradually come into contact with a great number of other subjects, some of which are widely and others totally and fundamentally distinct from elementary education, and yet that are more or less similar in subject-matter. The business of endowed schools, of secondary education, the settlement of most important academic questions connected with our great Universities—these are subjects of an order distinct from the mere administration of primary education; and it may constantly happen that you may get the man who is most specifically fit, by pursuits, habits of mind, and inquiry, to deal with primary education, but who, at the same time, would be a very secondary workman indeed with regard to some of those other classes of subjects. Nor have we yet reached the point when we can say that this process of mutation and extension in the business of the Council Office has reached its close. At any rate, it is very clear to my mind that you ought not at this moment to commit yourself to declaring peremptorily that a change should take place until you see in its fundamental bearings the nature of the change to be made. Now, let me point to one of the most vital questions in this matter, with respect to which I should be sorry if the House took any precipitate step. There is at the root of the contention of hon. Members who have supported the Motion the assumption or doctrine that the Representative of Education should be a Cabinet Minister, and should sit in this House. My contention is, that though they may be ripe for inquiry they are not ripe for decision, a proof of which is that their plans differ from one another. I wish to bring this point sharply to the attention of the House, which, I say again, I am sure would commit a serious error were it now to deliver a definite judgment in the shape of a vote before minute and careful inquiry. I have never served on this subject, except as a Member of the Committee of Council upon Education, in which capacity I have taken part in important discussion and decisions. But there is certainly considerable difference of opinion in this House on the subject. The noble Lord opposite (Lord George Hamilton) has served in the Office, and I may take him as an authority. The right hon. Member for Bradford (Mr. W. E. Forster) served long in it, and carried the Education Act, and, therefore, I accept him as a great authority. Lord Norton, a man of high authority, served in the Office; and there are differences of opinion between them, though they are in favour of the change. There are other authorities who oppose the change, and the House will do well to hear what they say on the matter. There are Earl Granville, who was President of the Council; Earl Spencer, who was President until a recent date; Lord Carlingford, who is now President of the Council; and, finally, the Duke of Richmond and Gordon, with respect to whom I have received the most distinct information that he has a very strong opinion in favour of the maintenance of the present system. I do not wish to go so far as to bind myself to the maintenance of the present system. I have admitted that there are presumptions which might tend in favour of change. All I desire is that we should take all natural and reasonable methods to ascertain, before we commit ourselves, that we know what we mean, and that the thing should be practically beneficial. Perhaps I should remind the House that one of the consequences of the arrears of Business in this House is that we have travelled during the present Session further than has been done at any former period in the matter of promises —of drawing Bills upon the future. No doubt, we shall redeem them; but we cannot say that we have any immediate prospect of doing so, and, therefore, it is time that we should be cautious of going further. I do not wonder at the contention of my hon. Friends behind me that this business ought to be represented by a Gentleman sitting in this House; but I entreat them not to force us to adopt a declaration upon that subject. I could wish to have the opportunity of explaining to the House the effect of the multiplication of great Officers of State, particularly if you limit them to sitting in this House, upon the efficiency of the Cabinet. The efficiency of the Cabinet depends in a great degree upon its Members, and there was no more remarkable proof of the sagacity of Lord Beaconsfield than the manner in which he contrived to keep down the number of Members of the Government sitting in the Cabinet. It sounds very plausible to add one or two more Ministers to the Cabinet; but every experienced person knows that the larger the Cabinet the less able is it to do its business efficiently. I am not arguing against any change, but only this particular point as to the increase of the Cabinet. We have already gone far in that direction. There are now no less than 11 great Offices, the holders of which must be Cabinet Ministers. In former times there were not so large a number of persons sitting in the Cabinet, and it was an immense advantage to have a very considerable choice of Offices, the holders of which might or might not be in the Cabinet. It is impossible to describe all the considerations which make it desirable to maintain freedom of choice with regard to a large number of Offices. As we now stand, I do not hesitate to say that the number of Offices, the holders of which are in the Cabinet, is absolutely inconvenient; and I firmly believe that if the number were increased to 12, or at any rate to 13, the addition, however good, would render the machinery of the Cabinet less workable and efficient. I hope that the House of Commons will not bind itself by a distinct pledge on this subject. Nothing pains me more than when the House of Commons, if it ever has done such a thing, comes to a Resolution which is evidently destined to remain a barren and sterile Resolution. After all, this is a question which must be dealt with by a responsible Government. You cannot settle administrative matters of this kind until they are completely and clearly worked out in all their parts and supported by a clear mass of authority. It may be said of the authorities whom I have quoted as being unfavourable to change that they were all Presidents of the Council. Besides them, I have two most formidable Vice Presidents. There is not a more judicial man in this country on all practical questions of administration than Lord Aberdare, and he sides with the President. [Mr. W. E. Forster: He was President.] But he was also Vice President; consequently, he has the advantage of looking at the question from both points of view—that is, from a comprehensive and impartial point of view. Therefore, I lay the greatest stress on Lord Aberdare's opinion. Then there is Lord Sherbrooke, who had a very strong opinion against this change. He served long as Vice President, and introduced changes of great importance and value, and I place him, therefore, on a level with my right hon. Friend who carried the Act of 1870. His authority is one that I think the House ought to consider before it commits itself on this question. I wish to say that I have no foregone conclusion in this matter, and that my mind is perfectly open. All that I want to do is to point out that there is considerable danger in rushing to any rash and precipitate conclusion. There is no urgent necessity for incurring the dangers of the change. I cannot honestly say that the work of this Department is worse done than the work of other Departments. If I were to hold that the Vice President of the Council is not a functionary of sufficient weight to represent the Department in this House, there are, at any rate, two things to be said in his favour. He is in quite a different position from an Under Secretary of State. The noble Lord has pointed out that an Under Secretary has to refer in a much greater degree to the Secretary of State than the Vice President of the Council. The Vice President is a substantive personage in the House, and has to speak for himself as much as for his Department. [Mr. W. E. Forster dissented.] That is no inconsiderable advantage, if you take into view that in the system of government it is absolutely necessary you should consider a division of the Ministry between the two Chambers; and perhaps I may add, there is a special necessity in the case of a Liberal Government, which is not so fortunate as to command a majority in the Upper House, that makes it not the less, but the more desirable that its Departments should be efficiently represented in that House. I know of no likely circumstances in which it will not be found necessary to give some share not only of the dignified, but of the working Departments of the Government to the Upper House. The Office of Lord President of the Council is one eminently fitted to be filled by a Member of the other House. It is uniformly held by a man of rank, and almost uniformly by a Peer, for the Lord President of the Council has many duties to perform in immediate connection with the Sovereign. The noble Lord the Member for Middlesex (Lord George Hamilton) says, if you make a man subordinate, make him thoroughly subordinate. I dissent altogether from this sweeping doctrine, which I think neither safe nor Conservative. There is a remarkable instance to the contrary which I will point out. The old organization of the Board of Trade, which Parliament some years ago altered, was of this character; it was represented, not by one, but by two substantive personages. It was under that organization that the whole of our Free Trade system was worked out. The reformation of the Tariff was worked out under that system, the question of the abolition of the Corn Laws was carried, and nearly all the political and economical measures which have since been carried out, except what have been done by the Treasury, were worked out by the Board of Trade. We must not be too ready to go forward and to affirm the proposition that there can be no circumstances of administration in which it may not be found necessary to have two Gentlemen representing the same Department in both Houses, especially when, as in this case, the superintendence of elementary education is allotted to one, and the superintendence of secondary education, of academical education, and the regulation of endowed schools is intrusted to the other. I state these matters entirely as arguments against any precipitate conclusion. The noble Lord who spoke in favour of this Motion seems to be in solitary blessedness, so far as regards the practical statesmen of his Party. The noble Duke who was President of the Council in the late Government is not of the same opinion as himself. I submit to the House, in conclusion, that the time has not yet arrived when we can judiciously set about the construction of a plan, and that when we do set about it there are many points to examine with respect to it which have not yet been settled by adequate inquiry, and by adequate concurrence of authority. If it be, indeed, the pleasure of the House that an inquiry should be instituted, to that course Her Majesty's Government would have no objection. We should freely concur in it, and we should give it every assistance in our power; but I do very earnestly express the hope that the House will not prematurely run the risk of doing mischief—with little hope of doing good—and of considerable and very practical embarrassment, by committing itself to a definitive conclusion upon a matter of great importance which is still unripe for final discussion.

SIR LYON PLAYFAIR said, he had stated his views so fully on the subject in 1874 that he did not intend to make a long speech that evening. If that question were not ripe for settlement, he did not know when it would become ripe. In 1856 the matter was brought before the House, on the ground that the Vote for Education had increased to £500,000. Now it amounted to close upon £4,000,000. A Bill was then brought into that House by Sir George Grey, and into the other by Lord Granville, for creating a Vice President of the Council; and the reason given for the Bill was that a responsible Minister in this House was urgently required. But, in 1864, it was discovered that he had no responsibility. A Committee was then appointed to consider the relations existing between the President and the Vice President of the Council, and it was found that the Vice President was nothing more than an Under Secretary of State. For a great many years every Prime Minister had been telling them that the question was becoming ripe for a settlement, and that it was time to consider whether we ought not to have a responsible Minister of Education. Four of the most distinguished Prime Ministers had expressed opinions to that effect—Lord Russell, Lord Derby, Mr. Disraeli, who brought in a Bill for the creation of a sixth Secretary of State for Education, and, lastly, the present Prime Minister himself expressed views largely in the same direction. It ought to be ripe for settlement, if it was not. The House ought, now that we spent such enormous sums, to say whether there should not be a Minister directly responsible to that—the peoples' House—for the education of the people. At all events, the Minister ought not to be always in the other House, as he was at present. The education to be dealt with was the education of the people, and, surely, their Representatives were chiefly interested in it, and not noble Lords, who looked down upon them as if from a balloon. The noble Lord opposite, who had spoken with such ability, had cautiously expressed the views of the Conservative Party, and would be content if the Vice President had a certain amount of responsibility. But the Duke of Marlborough had introduced a Bill of far larger scope. [Lord RANDOLPH CHURCHILL: But the Liberal Party would not have it.] But the Liberal Party were a Party of progress, and would now go much further. The Prime Minister had quoted Presidents of the Council who were not in favour of the proposal. Naturally they were not. But two noble Lords who had been Vice Presidents, and one of whom was also subsequently President, had expressed different views. The Duke of Richmond had said—"I am the Minister of Education." But the Lord President was not Minister of Education. He was Manager of a large number of primary schools in Great Britain, and of a few schools connected with the Science and Art Department. He was not even the Minister of Primary Education. He had no control over the primary schools in Ireland, where a very loose system was carried out. In that country, especially, which it was so necessary to educate, and where 40 per cent of the people could not read and write, it was absolutely necessary to have a responsible Minister of Education, with direct Ministerial responsibility in that House. There were, in addition to the requirements of ordinary education, large Votes for Museums and National Galleries. The British Museum and those great Galleries were administered by Trustees or Commissioners, with no direct responsibility to that House. Then there were arising Provincial Museums and Galleries, in Birmingham, Nottingham, Bradford, Sheffield, Manchester, Derby, and Glasgow, and those Provincial Institutions asked for the loan of our National Collections. But they always received the reply that Parliament had forbidden them to do so. In this year's Estimates a Vote was put down in their aid. The Vote was sure to increase. Those Provincial Museums had a fair right to complain that they were not fairly treated. Then there were the endowed schools, which were under the control of irresponsible Commissioners, and Parliament had a perfect right to ask what those endowed schools were doing for the cause of higher education. Those endowed schools had been re-organized by a delegated Legislature, which had formed them by schemes; but we had no knowledge whether they were looking well or ill. They wanted to know which. Why did Parliament interfere with their ancient modes of working? They found that in England, those endowed schools, with £600,000 a-year, had been taken from the poor and handed over to the rich. Parliament said that they must be applied to the benefit of the people. Had they been so applied? They had no means of knowing. The new schemes might be working well, or they might be working ill; but, as we had no inspection or superintendence in the matter, we were left in perfect ignorance whether this delegated legislation had succeeded or failed. It was from these reasons he had long advocated that they should have only one responsible Department for Education. The House had no idea how much money was spent on education. They voted to the Home Secretary large sums for industrial schools; to the Local Government Board, large sums for workhouse schools; to the War Office they voted money for military schools; and to the Navy, money for naval schools; and not one of these was under the Education Department. Such a state of things was so totally against public policy that its existence at this moment was scarcely credible. He saw, from what had fallen from the Prime Minister, that if he had moved now the Resolution which he proposed in 1874, his right hon. Friend would not refuse it, and he should himself have been satisfied with it. That Motion was to the effect that a Select Committee should be appointed to consider how the Ministerial responsibility under which the Votes for Education were administered might be better secured. There was nothing in that Resolution which said that the Minister should not be the President of the Council, or that he should be a separate Minister. But he wanted to know why all these Educational Votes were under no one distinct administration, under no co-ordination? And if a Committee of that kind were granted, they should have got one step towards securing that that should be done.

Mr. RATHBONE said, that he did not approach this question in any way from an abstract point of view, and should not say a word if he could not speak from practical experience of the absurdity of the present system, and its injurious effect upon elementary education throughout the country. He had not a word to say against the President of the Council personally or his Predecessors. On the contrary, if such a system could by any possibility have been made to work satisfactorily it had the best chance of doing so under the management of the Presidents of the Council of whose rule he had had experience. They could hardly pick out men more likely than Lord Ripon, Lord Aberdare, the Duke of Richmond, Lord Spencer, and Lord Carlingford to work such a system with consideration and tact, if only the system was capable of being worked with advantage. But it could not be made to work satisfactorily. For 15 years he had gone to successive Vice Presidents with grievances arising out of the present system, and had received the same reply—"We are very sorry for what has happened; but the power does not rest with us, but with the Lord President." But, as they all knew, the practical responsibility for the work to be done did rest with the Vice President, who had to do it. Now he would just take one case, and that the most flagrant. The entire patronage of the Department was in the hands of the President of the Council. The Vice President had nothing whatever to do with it, and was often not even consulted with regard to the appointment of Inspectors, or about their promotion. They might as well expect a man to manage a business with some other person to appoint the clerks, and to promote them without being obliged to consult with the real manager. Why, no man of business who had any respect for his own character or success would undertake to do such a thing for a moment. This matter was first brought painfully under his notice soon after he entered that House as Member for Liverpool. They had then in Liverpool a first-rate Inspector, who was raising materially the tone of education throughout his district by his admirable management, but he was himself constantly pestered by complaints from the schoolmasters throughout the town; and no blame to them, for in an adjoining district grants were given on requisitions very inferior, and the Liverpool schoolmasters naturally felt very much aggrieved to see inferior men receiving larger grants for inferior work. He had had, moreover, to complain repeatedly to successive Vice Presidents of appointments which he could see plainly they had not made and were not prepared to defend. How could a man who had not the real management of a business know how to select and promote those who had to carry out the work? And, again, how could the man who had to carry out the work be really made responsible for it if he had no share in either the selection or the promotion of his agents? And yet upon these Inspectors rested the maintenance of our national system of elementary education. The best way to secure that appointments of that kind should be free from political influence was to place them in the hands of the man who would suffer in case the business was badly done, and that man was the Vice President of the Council. He hoped either that the Government would agree to rectify this system, or that the House of Commons by a distinct vote that night would compel them to do so.

MR. W. E. FORSTER said, he would not detain the House long, because he thought that the question had been well argued, and that they had come to a substantial agreement upon it. It was quite true that anomalous as was the present position of the education work, it was much better that that system should continue than that the work should be done by a Minister not in the Cabinet. But the contention of his right hon. Friend the Member for the University of Edinburgh (Sir Lyon Playfair) was that the Minister who, being in the Cabinet, had to deal with education, ought to be the Minister who did the educational work. At present he certainly was not that Minister. There was no question whatever that education had been so managed that the Vice President did the work, and was looked upon throughout the country as the Minister of Education, and the extraordinary anomaly resulted that, having this position, he was not in the Cabinet, and on matters of considerable importance had not the authority that belonged to the Head of the Department. The argument was, that education was now so important that the man chosen in the Cabinet to represent the cause of education should be the real head of his Office. It appeared to him that this view was merely in accordance with common sense. A new rule had, he believed, been established within the last few weeks, that the Lord President should consult the Vice President as to appointments. That was an improvement on the old system; but it was desirable that appointments should be in the hands of one man and not of two, and that the country should know who was responsible for them. While he was himself in Office he was exceedingly glad to be without patronage; but that was not the way in which important work should be done, and the Minister whom the country regarded as responsible for the conduct of the Office ought to have the appointment of the officials; indeed, no one framing an Administration for the first time would ever dream of adopting any other principle. The Notice on the Paper was to call the attention of the House to the existing anomaly, and he believed that the anomaly was admitted to exist, and that the Vice President had not the power of appointing the officials. [Mr. GLADSTONE assented.] He had not this power then, but the Lord President always consulted him. That was exactly what he supposed; the Lord President was the responsible Minister, not the Vice President, though the latter did the work, and was judged by the country according as it was well or ill done. He might ask the House how long such an anomaly would be permitted to continue in the Army or Navy, if the head of the Office were always in the other House, while nine-tenths of the work was done by an Under Secretary? His right hon. Friend said that the anomaly did not work amiss, and that the feeling in Public Offices was such that almost any anomaly could be endured. That might be so; but the question was, whether the time had not come for putting an end to it. One argument against its abolition was, perhaps, that the Prime Minister disliked it himself; and he believed he could detect, in the right hon. Gentleman's very strong Conservative feeling against changes in administration, almost the last remnant of his ancient Conservatism. Another argument was that the change would require time. That would be a good argument, were it not for the fact that just at the present crisis many changes were being made. A Minister of Agriculture was being appointed, and the Lord President was to undertake the new duties, so that it could not now be said that without his educational work he would have nothing to do. He hoped hon. Members would not be led away by any Motion of the Council. The Committee of the Council for Trade, or Agriculture, or Education, meant nothing whatever. Persons might imagine that the Privy Council occasionally met for the transaction of business; but they never did so either in England or Ireland. The Minister for Agriculture was the President of the Committee of the Council on Agriculture; but he greatly doubted whether that Committee ever met, or ever would meet. The changes now being made offered an opportunity for entertaining this proposal. The real objection probably was, that it was undesirable to make too much of education, that if we were to have a Minister of Education he might be pushing things on too quickly. Of course, the one Minister would have charge of elementary, secondary, and University education; it would not be his ideal state of things that they should be divided, any more than the Army and the Volunteers should be under different management. There might be a fear that under one Minister too much money would be spent, or there would be too great an interference with local bodies. No doubt the Education Vote was increasing very largely, and, though there was no desire to stint the Vote, still it ought to be watched, to see that we got value for it. We were less likely to have extravagance or over-interference if we had a Minister who was known to be responsible generally in the House of Commons, or occasionally in the House of Lords. What was complained of now was that there was no really defined responsibility. The man who moved the Estimates and did the work was not the Head of the Department, and he ought to be. The work was done by a Minister who was controlled by another, and the latter was scarcely seen by the public. He did not see why we should continue that Japanese mode of managing affairs—an apparent Minister appearing before the public, and the real power being concealed. He believed the effect of inquiry would be to bring out facts so clearly that it would be necessary to make a change.

LORD RANDOLPH CHURCHILL said, he followed the right hon. Gentlemen the Member for Bradford (Mr. W. E. Forster) with the greatest possible trepidation; but he desired to make one or two remarks to the House which, however, he should have hesitated to make if it were not for the fact that a Relative of his at one time held the Office of President of the Council, and at that time he (Lord Randolph Churchill) had an opportunity of knowing the way in which the Office was worked. He was certainly surprised the right hon. Gentleman who had just sat down had supported the Motion for an Educational Department submitted by the hon. Member for the University of London (Sir John Lubbock), because, although the right hon. Gentleman was responsible, and solely responsible, for the educational system of the country, he thought he was right in stating that that was the first occasion upon which the right hon. Gentleman had ever made a statement in favour of the appointment of a Minister of Education.

MR. W. E. FORSTER said, he had made a long statement upon the subject in 1874, which was the last time it was before Parliament.

LORD RANDOLPH CHURCHILL remarked, that that was when the right hon. Gentleman was out of Office; and the opinions of the right hon. Gentleman when in Opposition always differed very widely from his opinions when in Office. It was perfectly certain that the House would not have heard the speech which the right hon. Gentleman had just made in opposition to the views of the Prime Minister if he had been upon the Treasury Bench instead of occupying the position in the House which he now did. He would ask the right hon. Gentleman why, when he brought in that great Education Bill, which established the system of primary education in the country, he did not state these opinions then? The idea was not a novel one, and that was the proper time to have made this change. The right hon. Gentleman left it, however, to be made by a Conservative Government; and the fact that it was so made was quite enough to prevent the right hon. Gentleman from having anything to do with it, or from having a word to say in favour of it. No doubt, when the right hon. Gentleman commenced the system of education which now obtained throughout the country, he might have made the present proposal; but, not having made it while in Office, he had lost his right and title to recommend it now with authority. He (Lord Randolph Churchill) must say that it had been his privilege to listen very often to a very interesting speech from the Prime Minister, but he did not know that he had ever listened to a more interesting one than that which had been made by the right hon. Gentleman that night. The right hon. Gentleman had paid the greatest compliment to the House of Commons which it was possible for a man in the position of the Prime Minister to pay, because he had taken those who were practically inexperienced and, to a great extent, ignorant into his confidence as to the machinery of the Government as regard to education. No doubt, the revelations which the Prime Minister had made, coming from a Minister of his authority, were of the very highest importance, and could not be listened to with too much attention. Nothing could have been more eulogistic of, or more in euphonism with, the Constitution of the country and the defence of our system of government than what had fallen from the right hon. Gentleman. He did not believe if any other right hon. Gentleman on the Treasury Bench had exerted himself to the utmost, he could have put forward with so much force the defence of the present system of government. The speech of the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) was not a speech in favour of the Amendment, but it was a speech entirely in favour of inquiry; and he understood, from the assent which the Prime Minister had given to it, that the Government were prepared to assent to the appointment of a Committee of Inquiry, which would no doubt be useful, and which, he presumed, the House would agree to. He did not think it was possible for the House of Commons to order too many official inquiries into our system of government, because he was satisfied that inquiry would lead to useful legislation. What he found fault with in regard to the Liberal Party was, that they were too apt to precede their inquiry by legislation, and to inquire after they had legislated. If they would take a new departure, and inquire before they legislated, he thought they would not regret the result. There was one thing which fell from the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) which ought not to escape notice. The right hon. Gentleman said that the Minister of Education, after discharging the duties of his Office in connection with the Privy Council, had only to do with primary education, and that secondary and University education were not sufficiently attended to by him. He (Lord Randolph Churchill) did not know whether the House would be prepared to imitate very closely the system which prevailed in foreign countries of placing secondary and University education entirely under the Government. He had always felt that if there was one thing more deserving of approval in our educational system than another, it was the independence which existed in our University education and the variety which existed in our system of secondary education. There was no country in the world in which there could be found such an amount of independence and such an extent of variety; and he thought it would be most unfortunate if the result of this Motion of the hon. Baronet the Member for the University of London (Sir John Lubbock) were to bring all our schools of primary, secondary, and University education to the same cut-and-dried level—all running into the same groove of the Privy Council under a Minister of Education. The noble Lord the Member for Middlesex (Lord George Hamilton) he understood to be in favour of the Motion for appointing an independent Minister of Education, and he had little doubt that the right hon. Gentleman the Member for Sheffield (Mr. Mundella), who now sat on the Treasury Bench and represented the Education Department in that House, would, if his tongue were not tied, be also, in a certain degree, in favour of it. While he was alluding to the right hon. Gentleman, perhaps he might also be allowed to say that he thought the Motion of the hon. Member for the University of London was somewhat uncharitably conceived, and that it might be taken as a reflection upon, and a bad compliment to, the right hon. Gentleman. [*Cries of* "No!"] It certainly might be so taken by some ill-natured minds; but, as far as he (Lord Randolph Churchill) was concerned, he was only too glad to have the opportunity of recognizing with all sincerity the ability and earnestness with which the right hon. Gentleman had, on all occasions, discharged the duties of his Office and the intense desire he always seemed to have to place before the House of Commons the fullest statement of the exact condition of the education of the country. If it was in any way a credit to a Minister to be able to get his Estimates easily through the House of Commons, he doubted whether it was possible to find anyone who got them passed more easily than the right hon. Gentleman. He dare say the right hon. Gentleman was more or less in favour of this Motion. Speaking with all respect of right hon. Members who had occupied a position which was, more or less, one of inferiority, he had no doubt that it would be their wish and desire to make the position more independent and supreme. Therefore, anything which came from an ex-Vice President or the present Vice President, although it would be very valuable, must be received by the House of Commons with caution and should be submitted to the inquiry which the Prime Minister was kind enough to concede. He did not know whether the House would allow him to offer an opinion upon the question which had been raised by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), but the right hon. Gentleman seemed to think it a great grievance that the Minister in the House of Commons who moved the Education Estimates was not in the Cabinet. Now, for the life of him, he (Lord Randolph Churchill) could not see why the Minister of Education should have a seat in the Cabinet. Certainly, when the great educational controversy was going on in the country, with which the right hon. Gentleman's name was inseparately connected, there was every reason why the Vice President should be in the Cabinet, because, at that time, education was one of the most vital and burning questions of the day. But would they say, now that the question of education had probably been settled, and was likely to run in the same groove for a quarter of a century, that it was necessary to lay down a hard-and-fast rule that the Minister of Education should be in the Cabinet? In his opinion, there were many Offices which should take precedence, so far as the Cabinet was concerned, of the Office of Minister of Education; and he, therefore, did not concur in the dogmatic character of the right hon. Gentleman's conclusion. After all, it appeared to him that this was one of those "fads" which were very apt to come from a certain group of Members who sat between the two Columns on the opposite side of the House, and which, when they came to examine them, would be found to be exceedingly unsubstantial, and might be generally summed up in the common expression—"What's in a name?" They had a Minister of Education in the House of Commons at the present moment. They were more fortunately situated, because they had two Ministers of Education; and, as far as the patronage was concerned, he did not know what might be the present state of matters, except that the Prime Minister had stated that as far as patronage was concerned, there was an agreement between the two Ministers. All that he could say on the matter was, that when his Relative was President of the Council, that was invariably the case at that time. Lord Robert Montague was Vice President at the time, and the noble Lord make appointments to several vacancies; and he (Lord Randolph Churchill) recollected perfectly well that there was no separate patronage on the part of the Lord President at that time. The patronage was not swept up into the Lord President's hands, but communications invariably took place between his noble Relative and Lord Robert Montague, who filled the post of Vice President. He could not see that divided patronage was an evil, and it certainly used to be the custom in Ireland, before the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) went there, to divide the patronage between the Lord Lieutenant and the Chief Secretary. He was quite aware that that was not after the right hon. Gentleman went there as Chief Secretary. The right hon. Gentleman did away with that rule, and he did away also with the Privy Council; but he did not think the right hon. Gentleman was sufficiently successful in his operations in Ireland to induce him to advocate changes in other Departments. Before the right hon. Gentleman went to Ireland the patronage there was invariably a matter of consultation between the Lord Lieutenant and the Chief Secretary. He thanked the House for having permitted him to make these remarks, and he wished also to express his thanks to the Prime Minister for the statement he had made, and also the sincere hope that the House would in every way follow the advice the right hon. Gentleman had given, and accept a Committee of Inquiry.

MR. THOROLD ROGERS (who was very imperfectly heard) said, that what he wanted to see was that whenever the Committee was appointed—and he understood the Government to accept the proposal—it should turn its attention not only to the question of how far it was expedient to appoint a Minister of Education, but to various legitimate questions connected with University Education and the public schools. He said that because he believed it was necessary to introduce very serious alterations into the existing system, which produced an effect upon various public institutions that was almost ruinous. At the present moment there was no person in the House charged with the duty of answering Questions relating to the Universities and public schools. There was no opportunity for a Member of Parliament to ask any Question upon such subjects of any person in authority, and it was impossible, therefore, to get a satisfactory answer. It was his duty last year to make an effort to preserve a great public school from rapine. Some time ago the Dean and Chapter of a certain city, in defiance of an Act of Parliament, seized on property which belonged to a school and appropriated it to the use of one of its own members. Wishing to ask a Question with regard to this alleged act of rapine, he found that he could get no answer from any Member of the Government, and he was compelled to have recourse to a Member of the House who happened to be one of the Governing Bodies of the school. He believed there was another school in the same position; and, in point of fact, whenever the Dean and Chapter of a city had anything to do with a public school, they invariably attempted to rob the school of what belonged to it. He thought there ought to be someone in that House officially connected with the Government with authority to answer Questions upon such subjects, and also about the action of the Civil Service Commission. That Body was now practically a great examining University, and upon its decisions depended the distribution of a large amount of patronage and of public money. He did not say that the Commissioners did not discharge their duties in the best possible way they could; but if the House would look at the examination papers they would agree with him that nothing could be more foolish, irrelevant, or improper for the purpose of discovering the capacity of the person examined than the questions asked by the officers who conducted the examination. And yet there was no one in the House who was able to get up and answer any Question on the subject, or say whether the examination papers were proper or not. He contended that there ought to be some person in that House of whom they might ask Questions as to these very important branches of education. There was no such individual at the present moment, and he hoped the right hon. Gentleman the Prime Minister would consent to enlarge the terms of the Reference, so that they should be wide enough to include the question whether the Minister of Education, whoever he might be, should not be made responsible for every detail, because it would be irrelevant and foolish to interfere with the domestic government of a school, and not to give information when it was asked for. For instance, an Act of Parliament was passed in that House under the last Government which involved the establishment of a new College at Oxford on principles altogether contrary to those which were then existing in the University. If there had been a responsible Minister of Education he did not think that Act would have passed—at any rate, not in the form in which it passed in direct violation of the principles of other existing Acts. He had heard of a School Inspector who abused his position by delivering highly inflammatory addresses. Such conduct was very reprehensible; yet there was no responsible Minister in that House to interrogate about it. There were undoubtedly branches of education in this country which required a certain amount of Parliamentary supervision; and there ought, at any rate, to be in the House of Commons some person charged with the duty of answering Questions not connected with the domestic control of Universities and public schools, but the duty of answering reasonable Questions as to how far the authorities of the schools were carrying out the duties imposed upon them by Act of Parliament. He therefore hoped that the right hon. Gentleman would not object to extend the terms of the Reference, in order that the Select Committee might inquire how far the Minister of Education might be made responsible for the performance of their duties by the authorities of the higher class schools connected with secondary public schools and University education.

Sir HERBERT MAXWELL said, they had had for the last three hours an interesting discussion upon a very important subject; but he wished to remind the House that they had also been promised a statement upon another interesting and important subject—namely, the re-adjustment of Scotch Business. And in order to enable the Home Secretary to made a statement upon that subject, and to insure that it should be taken at a reasonable hour, he begged to move that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." (*Sir Herbert Maxwell.*)

Sir JOHN LUBBOCK said, he trusted that the House would allow him to say a word by way of explanation, and he hoped that the hon. Baronet opposite would not press his Motion, seeing that the House had very nearly arrived at the end of the discussion. He rather gathered from the course the debate had taken that the House assented to the suggestion which he had himself thrown out, and which had also been suggested by the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair). Indeed, the Prime Minister had in his speech suggested a somewhat similar course; and if that were the general feeling of the House, he (Sir John Lubbock) thought that some such Resolution as this might be adopted—

> "That a Select Committee be appointed to consider how far Ministerial responsibility in connection with the Votes for Education, Science, and Art may be better secured."

If that Resolution met the views of the House, and if the hon. Baronet opposite (Sir Herbert Maxwell) would withdraw his Motion for the adjournment of the debate, he (Sir John Lubbock) would ask leave to withdraw his Amendment; and, as he technically could not do so, he would ask the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) to move a Resolution to this effect, which he understood Her Majesty's Government would not oppose and which would meet with the general acceptance of the House.

Mr. SALT said, he hoped that his hon. Friend the Member for Wigtonshire (Sir Herbert Maxwell) would not press the Motion for Adjournment, because the discussion was evidently just coming to a useful close. The proposition made by his hon. Friend opposite (Sir John Lubbock) seemed to be a reasonable proposal—namely, that a Committee with fairly wide powers should be appointed. He had no wish to say more, as the question had already been well discussed, except that he always viewed with alarm a serious division of Departments, unless the matter had been well and carefully considered and brought forward on the responsibility of Her Majesty's Government. Under any other conditions it would be a very serious matter, especially when they had a Government Department working fairly well; and they did not know what they were likely to get if they embarked in something entirely new.

MR. SPEAKER: I must remind the hon. Gentleman that the Question before the House is the adjournment of the debate.

SIR HERBERT MAXWELL said, it was with the greatest possible reluctance that he had proposed the adjournment of the debate. He had merely made it in view of the importance of the statement which had been promised by the right hon. and learned Gentleman the Secretary of State for the Home Department.

MR. RAMSAY wished to suggest, before the Motion was withdrawn, that the Scotch Members would like to have some information as to whether the Select Committee proposed to be appointed could not inquire into the question of placing the administration of the laws relating to education in Scotland under some authority which should be connected exclusively with Scotland. [*Cries of* "Order!"]

MR. SPEAKER: The Question before the House is the adjournment of the debate.

Motion, by leave, *withdrawn.*

SIR JOHN LUBBOCK begged to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Original Question again proposed.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,"—(*Sir Lyon Playfair,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. RAMSAY said, he had no wish to postpone the decision upon the Amendment; but he wished the House to understand that no arrangement would be satisfactory to the people of Scotland unless they had a Department of their own for administering the laws relating to education in Scotland. [*Cries of* "No!"] Hon. Gentlemen representing English constituencies might say "No!" but would they get any Scotch Member to say "No?" What he wished to point out to the House was that they had had an educational system in Scotland for more than 300 years, and the administration had been placed under a Department in England. The whole of the staff and the heads of the Department were in England; and, as a natural consequence, the system was so unsatisfactory that unless the right hon. and learned Gentleman the Home Secretary, who was about to make a statement in regard to the future administration of Scotch affairs, presented some solution of the difficulty now experienced in dealing with the question of education in Scotland, any measure proposed on the subject would be totally unsatisfactory to the people of Scotland and the Scotch Members generally.

MR. BRYCE said, he was anxious to disclaim, and he thought he might also do so on behalf of his hon. Friend the Member for the University of London (Sir John Lubbock), that the construction to be put upon the Motion was that it was an attempt to force upon the country a Minister of Education, who should necessarily have a seat in that House, or to increase the number of the Cabinet. He did not think that either of those two ideas were in the minds of those who supported the Motion. He conceived it possible that the Minister of Education, if appointed, should not be in the Cabinet; and he fully recognized the force of the arguments of the Prime Minister against increasing the number of the Members of the Cabinet. But he should like to add that, without increasing the Cabinet, there was already a Cabinet Officer in existence to which no definite duty was attached—namely, the Lord Privy Seal. and the Minister of Education might be substituted for that Officer. What they objected to was a dual control. They objected to the fact that there was one Minister who had the practical responsibility for the educational work of the country, and another Minister who had the supreme control of the Department. There was one Minister whose duty it was to frame the Estimates and consider the way in which they should be spent on education; while another, who had the ear of the Cabinet, and was capable of persuading it, was able to decide that certain legislative measures, and certain measures only, should be brought forward. They regarded that system as a divorce of power from responsibility, which did not exist in any other Department of the State; and they also looked upon it as an injury to the Public Service. It had been stated in the course of the debate that the functions of the State as regarded primary education and those of a Minister who should deal with secondary and superior education were entirely distinct; whereas those who supported the Motion thought they were intimately connected, and that neither set of functions could be properly discharged until both were united. Cases frequently arose in which the regulations of an endowed school required revision, and the authorities who had the duty of framing schemes for endowed schools required to be stimulated in order to induce them to make more rapid progress in their duties. At present that could not be done, because there was no power in that House to do it. The Charity Commissioners were not directly represented in the House, and were hardly amenable to it. Why was it that the Charity Commission was so unpopular? Why was it that the right hon. Gentleman the First Commissioner of Works found that the Charitable Trusts Bill met with a dozen blocks? It was because the Charity Commission was, so to speak, hidden away in a dark corner. It was not amenable to public opinion; and there were no means of ascertaining what it did, or what it did not do, or what were the grounds of its action. The only way in which they could deal with the Charity Commission was to place it under a responsible Department, whose Head sat in the House of Commons. And the supervision of endowed schools—the dealing with secondary and superior education generally—was one of the functions which it was most important to intrust to a Minister of Education. They would all remember the point, made long ago, by the then Head of the Department, about the desirability of creating a ladder from which the children should rise from the primary to the middle schools, and so on, to the Universities. But how could that be carried out, if there was no Minister to take any interest or concern in it? Take the case of the Training Colleges. How was it possible to arrange for the reception of teachers at the Universities, or for the relations which the Universities ought to bear towards the secondary schools and the elementary schools, if there was no Minister of Education with a seat in that House? He admitted the necessity of maintaining a large measure of independence for the secondary schools as well as for the Universities; and he would be the last to propose that such schools should be placed under central control; but there should be an opportunity of making suggestions, and of showing how such institutions were working, and what was required, in order to bring about a certain extent of harmonious co-operation between them. There was all the difference in the world between increasing the arbitrary and bureaucratic authority of a Central Department and enlarging the action of that Department in the line indicated by the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair). No one would desire to see the Central Authority invested with such a controling power over the Universities as was possessed by the State in Germany or France. Bearing in mind the importance of dealing with the various aspects which the subject presented, and of considering how best to make the Education Minister a true Minister of Public Instruction throughout the country, he thought the Committee ought to be sufficiently large to enable all these questions to be brought under discussion and fully considered.

Mr. SALT said, he begged to apologize for having committed an irregularity on the Motion for the adjournment of the debate. What he wished to say on that occasion was that he was sorry that the proposal for introducing changes in a very important Department of the Government had not emanated from the Government themselves. It was extremely difficult to carry out such changes; and he was bound to say that, having confidence in the Department, and in the Minister connected with it, he did not see that any sufficient reason had been shown for the adoption of any extensive change suddenly proposed outside the Government. At the same time, as he believed the Motion to refer the matter to a Select Committee would be assented to, he trusted that the labours of the Committee would be successful. As to any result which might be arrived at, in consequence of the action of the Committee, he hoped it would not end in the introduction of another and a new demand upon the finances of the State. They did not want a more excessive expenditure for the administration and control of the Department. If they desired to carry out out education well, whether the education was elementary, middle class, or a high class system in the public schools, they must depend in the main upon the good administration and the good effects of the principal persons connected with the localities; and it seemed to him that the real office of the Central Department was not to enter into mere details and create an enormous establishment with high salaries, but to give such assistance and to collect such information as would be valuable in the local administration for the purposes of education. The real work was to be done in the country itself, and the more it was done in a locality the more efficient it would be. Of course, he was not disposed to raise any opposition to the appointment of this Committee; but he had thought it well to say at this stage that he did hope the result of appointing the Committee would not be the establishment of another and an expensive Department of the State.

MR. HENEAGE said, he entirely agreed with what had fallen from his hon. Friend behind him (Mr. Bryce), and he was not one of those who thought the proposal to make the Minister of Education a Cabinet Minister ought to be pressed. At the same time, it was their desire that whoever was appointed should be a perfectly independent Minister. His only object in rising now was to make an appeal to the Prime Minister that, as he was about to appoint a Committee to inquire into the functions of the Privy Council connected with Education, he should not limit the inquiry to the three questions suggested in the Resolutions of the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair)—namely, Education, Science, and Art. If that were done, he thought there would be great disappointment to-morrow among a considerable number of Members of that House and in the country generally, especially if it were found that the Agricultural Department of the Privy Council was altogether left out of the scope of the inquiry. At the present moment he knew that utter disgust was felt at the manner in which matters concerning agriculture were conducted by the Privy Council. The Minister who was at the head of the Department was in the House of Lords, and another Cabinet Minister, who had very little to do with controlling the Department, represented Agriculture in the House of Commons at present. He sincerely trusted that in appointing a Select Committee his right hon. Friend the Prime Minister would consent to refer all questions concerning every Department of the Privy Council to the Committee.

MR. WARTON said, he had listened with considerable interest to the discussion; but he could not join in the chorus of exultation which seemed to have been raised about a possible addition to the Cabinet. He thought that Lord Beaconsfield had displayed his practical good sense when he preferred a moderate Cabinet of 12 or 13 to a large Cabinet of 15 or 16. There was a constant demand for additions to the Cabinet. There was a cry for a Scotch Minister. ["No!"] Some hon. Gentlemen certainly had raised that cry. There was a cry for a Minister of Agriculture, and another for a Minister of Education; and if all these demands were complied with the Cabinet would become in the end most unwieldy. In point of fact, it would degenerate into a Grand Committee. Not only did he object to these demands on principle, but in this particular case he objected to the request on the special ground that the Vote for Education was already far too large. He believed that it was growing by £100,000 a-year. When the present educational system was first introduced a pledge was given that the rate should not exceed 3*d.* in the pound; but that pledge had been violated, and the rate was mounting up year by year. He was afraid the effect of having a Minister of Education would be that, when he came into his new Office, he would be disposed to magnify its importance. That seemed to be an error committed by all Ministers. It was the case with the old Department, and the expenditure was quite high enough; but with a new Department, and a new Minister anxious to show how the new broom could sweep clean, the Education Vote, now very large, would be further increased. Therefore, on both of these grounds, he opposed the creation of a new Cabinet Office.

Mr. ILLINGWORTH rose to continue the debate.

Sir HERBERT MAXWELL wished to put a Question to the Speaker upon a point of Order. He wished to ask the Speaker whether, as the Motion of the hon. Baronet the Member for the University of London (Sir John Lubbock) had been withdrawn, it was competent for the Committee to discuss another Motion not on the Paper before the Motions which were on the Paper had been disposed of?

Mr. SPEAKER: The course which has been taken by the House is quite regular. By the leave of the House the Amendment of the hon. Baronet was withdrawn, and there was no irregularity in taking another Amendment. The course pursued was entirely a question for the House.

Mr. RITCHIE asked to be allowed to make a remark upon a point of Order. He understood the original Motion to be one for going into Committee of Supply. And when the Amendment to that Motion, which stood on the Paper, had been withdrawn, he wanted to know whether it did not follow, as a matter of course, that the Member who had the next Amendment upon the Paper should be called upon rather than that a new Motion, by somebody else, which was not upon the Paper, should be taken?

Mr. SPEAKER: The Motion for going into Committee of Supply was not withdrawn, but the Amendment of the hon. Member for the University of London (Sir John Lubbock) was withdrawn. The original Question was then put, and upon that Question the right hon. Member for the University of Edinburgh (Sir Lyon Playfair) brought up his Amendment. The course which has been pursued is quite regular. The original Question has not been withdrawn at all.

Mr. ILLINGWORTH desired to say a word upon a practical question—namely, the working of the Endowed Schools Commission and the Charity Commission. There could hardly be two opinions of that side of the House that not only should stimulus be given to the working of these branches of Public Business, but that it was also very desirable that the character of these Commissions should undergo some very important modification, and he could see no more suitable time for pressing the point upon the attention of Her Majesty's Government. He would, therefore, move to add to the Amendment of the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) these words—

> "And how such other duties as would fall within the province of a Minister of Public Instruction may be best discharged."

He appealed to the right hon. Gentleman in charge of the Amendment to allow these words to be added to it, on the ground that it would prevent inconvenience from arising at a subsequent period.

Mr. SPEAKER: That Amendment could not be put at the present moment. The Question immediately before the House is that the words proposed to be left out stand part of the Question. If the House decides that Question in the negative, then the Amendment of the right hon. Gentleman the Member for the University of Edinburgh (Sir Lyon Playfair) could be put as an original Motion, and the hon. Member for Bradford (Mr. Illingworth) would be in Order in moving his Amendment.

Question proposed,

> "That the words 'a Select Committee be appointed to consider how the Ministerial responsibility under which the Votes for Education, Science, and Art are administered may be best secured,' be there added."

Amendment proposed,

> At the end of the proposed Amendment, to add the words "and how such other duties as would fall within the province of a Minister of Public Instruction may be best discharged."—(*Mr. Illingworth.*)

Question proposed, "That those words be there added."

Mr. GLADSTONE: I am afraid these words are beyond the scope of the present discussion. It will be observed that the words now before us are not in the main our words, but the words of my right hon. Friend the Member for the University of Edinburgh. I can conceive certain collateral duties which may be, and have been, actually discharged by the Vice President of the Privy Council, and my impression is that they will be considered by the Committee; but, at any rate, I think the Motion, as it cannot be altered by the proposal of my hon. Friend, would be of quite a different character, and would require the Committee to mark out and frame a plan for the discharge of all duties which could be brought within the scope and view of a Minister of Public Instruction. That, clearly, would be much beyond the matter we have been debating since 9 o'clock, and could not, I think, be assented to by the House at the present time. That would require a full discussion. My hon. Friend may raise a question of that kind by a proposal to instruct the Committee; but I do not think the House is in a condition to enter into this at the present time, and we could not be a party to accepting this Motion.

Question put.

The House *divided:*—Ayes 8; Noes 104: Majority 96.—(Div. List, No. 156.)

Question,

"That the words 'a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,' be added after the word 'That' in the original Question,"

put, and *agreed to.*

Main Question, as amended, put.

Resolved, That a Select Committee be appointed to consider how the Ministerial responsibility under which the Votes for Education, Science, and Art are administered, may be best secured.

POOR RELIEF (IRELAND) BILL.

(*Mr. Trevelyan, Mr. Herbert Gladstone.*)

[BILL 154.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Trevelyan.*)

MR. BIGGAR said, he objected to the second reading of this Bill being now taken. The Bill had first of all been blocked; and in the second place, he believed, the Chief Secretary had told the Irish Members that he would not take advantage of the Half-past 12 Rule. He thought the right hon. Gentleman should adhere to that promise, especially as there were now very few Irish Members present, and this was a measure which should be discussed not by a small party, but by the Leader and the whole of the Irish Party. This was not a Money Bill; and, its provisions having been explained, he submitted that it ought not now to be taken, especially after the promise given by the right hon. Gentleman the Chief Secretary.

MR. TREVELYAN said, the hon. Member's objection to this Bill being brought on at this time and not being a Money Bill, was quite untenable. It was not a Money Bill in the sense that it concerned very much money; but if ever there was a Money Bill in character, it was this, because it proposed to enable the Government to make a grant of £50,000 for pauper relief. As to the question of an agreement with hon. Members, the conditions were now entirely changed. Two months ago, when he brought this Bill forward, the hon. and gallant Member for Cork County (Colonel Colthurst) put an Amendment on the Paper of importance and interest. That Amendment was not now on the Paper, but it was to the effect that no Bill would deal with poor relief in Ireland satisfactorily which did not confer additional power on the Boards of Guardians in Ireland, with a view to assimilating the English and the Irish Poor Law administration. Since that time the hon. and gallant Member had brought forward that Motion, and a debate of great interest and importance had followed, and a majority—82 to 20—had decided against the Motion. That discussion was ended; and there was now no Amendment on the Paper except that of the hon. Member for Cavan (Mr. Biggar), to the effect that the Bill be read a second time this day three months. This was a Bill simply for the purpose of indemnifying four Boards of Guardians who had borrowed altogether £3,000, and to enable the Government to relieve those and other Boards of Guardians. The circumstances under which he had made the promise—at a time when the Resolution of the hon. and gallant Member for Cork County, or some Resolution analogous to it had been discussed — had been entirely changed, and he did not think the Government were now putting any strain on the House, or on any section of the House, in asking the House to advance the Bill one stage this evening.

Mr. ARTHUR O'CONNOR said, he was not concerned to endeavour to obstruct the advance of this Bill at all, but he wished to submit a point of Order. This Bill was to a great extent, and almost entirely, a Money Bill; but over and above those portions of the Bill which dealt with what was properly the subject-matter of a Money Bill, there was a clause which referred to the indemnification of Boards of Guardians who had exceeded their powers. He wished to put to the Speaker whether the mere fact of a Bill containing clauses which related to public money was sufficient to take that Bill out of the operation of the Half-past 12 Rule? If the mere presence of such a clause was sufficient to remove a Bill from the operation of that Rule, what proportion of a Bill was it necessary to have relating to other matters in order that a Bill should not come under that Rule? It was perfectly clear that this Bill did relate to what was not necessarily the subject-matter of a Money Bill. The Bill was really a Bill to indemnify certain Boards of Guardians who had gone beyond their legal powers; and on that ground he ventured to submit that it was, at any rate, a debatable question whether this was a Bill which could not be blocked by the Half-past 12 Rule?

Mr. SPEAKER: The Bill to which the hon. Member refers deals in almost every clause with money; and because one particular clause may not refer to money, that does not bring the Bill under the Rule. Being a Money Bill, it is clearly in Order to bring it on.

Mr. SHEIL said, that when the Chief Secretary for Ireland asked leave to introduce the Bill he gave the House to understand that no part of the money would be devoted to the purposes of emigration.

Mr. TREVELYAN said, he might now most positively say that neither directly nor indirectly would any of the money be applied to emigration.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

MOTIONS.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.

LEAVE. FIRST READING.

Sir WILLIAM HARCOURT: I hope, Sir, I shall not have to detain the House at this late hour (12.40) at any considerable length, while I state briefly the reasons which have induced the Government to introduce the Bill of which I have given Notice. I do not think it is necessary to go into the ancient history of this question, because most Members interested in the matter know the history as well, or better, than I do. I shall not go further back than the year 1878, when the late Government introduced a Bill for the appointment of an additional Under Secretary. That Bill was introduced by the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross), and the then Lord Advocate; and I take it for granted that, though that Bill did not ultimately go forward, it indicated in the view both of the Scotch Members, and probably of the public in Scotland, and of the late Administration, that it was desirable that there should be some change at least in the former and ancient system of administration of Scotch affairs. I also gather from the proposal to have an additional Under Secretary for Scotland that it was considered by the late Administration that it was desirable, besides the able professional assistance which the Lord Advocate is always in a position to give on all legal matters, that there should also be some official dealing more especially with every question arising in Scotch administration. That is a mere speculation on the meaning of the Bill when it was introduced, for there does not seem to have been any full discussion upon it. That was the state of things when the present Administration came into Office; and when I became responsible for the conduct of Scotch affairs, I found that the same sentiment prevailed, I will not say among all, but certainly among a considerable number of, Scotch Members, that there should be some change in the arrangements with reference to Scotch Business. It is a matter of public notoriety that a Memorial signed by a large number—I forget the exact number—of Scotch Members upon the subject of an alteration in the arrangements of Scotch Business has been presented to the Prime Minister. I, for my part, never felt at all averse to the consideration of the question from that point of view. I do not think that anybody who occupies the position of Home Secretary will ever be grasping of business, or have a great objection to be relieved of any of the multifarious or multitudinous business with which that Office is considerably oppressed. Therefore, so far as I am concerned, I approached the consideration of this question with something more, perhaps, than an open mind. There was another circumstance which impressed my mind as to the necessity and expediency of somewhat different arrangements; and it was the peculiar fact that, for a certain period immediately after the election of the present Parliament, there happened to be no single Member of the House of Commons upon either side of the House who was capable of holding the Office of Lord Advocate. That interposed a considerable difficulty in the ancient method of administration of Scotch affairs. Of course, the Lord Advocate must be a lawyer, and there was only in the last Election one lawyer elected out of the whole of Scotland, and that distinguished Gentleman, on asking re-election, lost his seat. That situation has occurred in former times, and very often you may be reduced by the necessity of selection from only one Profession into difficulties in Scotch administration. I do not believe that the desire for change has arisen from any dissatisfaction or discontent with the manner in which Scotch Business has been traditionally transacted by the persons who have held the high Office of Lord Advocate. The successive Lord Advocates of Scotland have conducted Scotch affairs very satisfactorily to the Empire generally, and to Scotland in particular. That such a sentiment did exist is shown by the Bill of 1878. That sentiment exists in the minds of a good many Scotch Members, and I take it for granted that is the opinion of the country from which they are sent. That being the state of feeling upon the subject, Her Majesty's Government were extremely willing to do something to satisfy this sentiment; and they took a course which, I believe, gave great satisfaction to the people of Scotland. They adopted, to a certain extent, the plan of their Predecessors—that is to say that, though they did not create an additional Secretary of State, they made a very distinguished Scotchman, Lord Rosebery, Under Secretary of State for the Home Department, with the particular view of his transacting Scotch affairs. In my opinion that experiment was highly successful. So far as I was able to observe it, the affairs of Scotland were never transacted by three more able men than Lord Rosebery as Under Secretary in the Home Office, the Lord Advocate, and the Solicitor General for Scotland. I venture to say from my official experience, and having regard to the business that had to be done, there never was a Department more adequately managed. For my own part, if that state of things could have been continued I should have been glad indeed. Lord Rosebery said to me—"You have thrown the reins of Scotch Business upon our necks." It is quite true, when I got men so competent and so conversant with Scotch affairs, I naturally gave them entire confidence, and I believe they conducted Scotch Business exceedingly well. I should have been extremely willing that affairs should have gone on upon that footing. When I say that affairs were conducted in that manner, I do not at all wish to exclude the responsibility of the Secretary of State. There will always be, and there must always be, in the transaction of any Department, some questions which must be decided by the Chief of the Department. I am bound to say the number of questions which have arisen in Scotland during my administration are singularly few; but there are questions such as the method of dealing with the crofters in the Western Highlands, matters which never can be decided by even any Minister of a Department, but which naturally must be determined upon the responsibility of the whole Government. I therefore distinguish between that class of questions and those which are questions of a purely administrative character. Well, there were, however, difficulties in continuing a state of things which, I believe, for all practical purposes, was as good a state of things as ever was devised, and I do not believe that whatever you do, you will ever get the affairs of Scotland better conducted than they were on that system.

But it was impossible to continue that state of things, for two reasons. Lord Rosebery was an admirable Under Secretary for Scotland; and although the Business of Scotland perfectly admitted of his doing very competently and fully the duties of Under Secretary for English affairs also, still there was an inconvenience in not having the Under Secretary of State for the Home Department in the House of Commons. I and the other Ministers always felt that was an inconvenience; and, consequently, the arrangement was of a temporary rather than of a permanent character. When attention was called to the subject in the House of Commons, I was not in a position to deny that it was highly expedient that there should be an Under Secretary of State for the Home Department in the House of Commons; and, therefore, we had to consider how the matter was to be dealt with. Now, the matter could have been dealt with, no doubt, in the manner proposed by the late Administration—that is, by the creation of an additional Under Secretary of State to take charge of Scottish affairs. Well, Sir, I am not at all prepared to say that, for administrative purposes, that would not have been a satisfactory solution. But I find that the sentiment of Scotch Members, so far as I could gather it, and the sentiment existing in Scotland, was not favourable to such a solution as that. It was thought that an Under Secretary was not adequate altogether for the representation of the affairs of Scotland, and that opinion was very strongly held by Lord Rosebery himself. I am bound to say that, coming from such a quarter and with such weight, it had very considerable influence with me and with Her Majesty's Government. If you want to satisfy the desire of a people you must give them what they want, and not what they do not want; and I confess that, as far as I was able to gather the opinion of those who represent Scotland, it was that such an arrangement as that to which I have referred would not be favourably received. Then, what was the course which should be taken? Well, if you were not to have an additional Under Secretary of State for Scotland, what were you to have? I do not think that there is anybody who professed that there should be a Secretary of State for Scotland. I have not found anybody who understands the matter at all, or who has any cognizance of the character and amount of the Business to be transacted, who supports such a proposal as that. Therefore, of course, the Government are not about to propose the creation of a Secretary of State for Scotland. If there is not to be a Secretary of State because it is too much, and if there is not to be an Under Secretary of State because it is too little, we must seek some middle ground—some *tertium quid* which will satisfy the feelings and sentiments of the case. We have got precedent and analogy to follow in this case, and that is a creation which has been found very useful in England for local administration —the administration of the Local Government Board. Everyone knows that that is a Department which is of higher rank and of greater independence than the situation of an Under Secretary, and local questions are dealt with by that body. I only use the word analogy because I do not speak at all of identity in this case, for it is quite plain that the scope of the administration of Scotch affairs would be larger than the administration of Business under the Local Government Board in England. Well, then, what the Government have to propose to the House is the creation of a Minister who shall deal with the local administration of Scotland in all such branches as those that are now dealt with by the Secretary of State. I say local administration, because I exclude from that all those matters which belong to law, to justice, and to the administration of the Prerogative of Mercy —questions which, in the opinion of the Government, must still be reserved for the Secretary of State, acting upon the advice of the Lord Advocate. I think it is quite impossible to separate the administration of questions of that character from the Office in which they have been hitherto administered; but I will not attempt, at this time of the night, to go into this matter, because when the Bill reaches future stages it can be fully discussed. The Government have had to consider what is to be included in the functions of this administration. I have spoken of all the local matters which are at present within the Office of the Secretary of State; and, with the exception of those I have referred to—namely, law, justice, and the Prerogatives of

Mercy, and higher Executive interposition on such questions that might arise as to peace and order, and the necessity of the employment of Military Forces—all Common Law questions of administration will remain with the Secretary of State as at present, acting on the advice of the Lord Advocate. There is one other matter to which I should refer, not for the purpose of discussing it now, but merely to state the view of the Government upon it—that is, with reference to the question of education. That, as the House is aware, does not belong to the functions of the Secretary of State, but to the Education Department. I have had the opportunity of consulting those who are best acquainted with the subject of Scotch education, and I find that they agree almost unanimously in the opinion that it would be a great mistake to sever the administration of Scotch and English education. Therefore, this Bill does not propose to put the question of education into the category of this Bill. Well, Sir, I need not say that a proposal of this character has nothing in it of impeachment or disparagement of the ancient and high Office of the Lord Advocate. On the contrary, under this Bill, his authority is specially secured. I hope that this proposal, which is by no means a grandiose proposal, is one which will meet the necessities of the case, and will satisfy the desire which has been expressed for a new arrangement. It is a larger proposal than that made by the late Administration, which was confined to an Under Secretary of State. As I have said, it is placing the interests of Scotland in the hands of a person who may be supposed to be specially acquainted with the details of Scotch affairs, and placing them under an independent Department, and a Department with the dignity attached to it of the Privy Councillor's Office. I do not hesitate to say that besides the advantage which it will produce to Scotland, as I have said before, it will have the additional advantage of relieving the Home Office from some of the work which is now cast upon it. I had occasion to refer to the character of that work the other day. I have in my hands a Paper showing the growth of the work in the Home Department. According to this the number of Papers received at the Home Office 20 years ago—in 1862—was 18,659; and in the year 1882 there were 42,933; showing that, while the Department has very little increased in the means of doing its work, the burden upon it has been daily and greatly increased. In recommending this scheme to the House, I do not wish at all to exaggerate its character. The quantity of Scotch Business, so far as it comes under the cognizance of the Secretary of State, is not of an extensive character, Scotchmen have had the good sense to do their own business so well, that the questions which come up for solution by the Central Government are singularly few. Indeed, it will be difficult for anyone who has not had experience in the matter to believe how few are the questions which come before the Secretary of State in reference to Scotch matters. After all, it is only the difficult questions which require a special solution which come under that category. I can really almost count upon my fingers the questions of great importance which come up. Do not let it be supposed, as is sometimes said, that that happens because there is nobody to do the business. It is not so. Of course, we can always make business. There are two classes of administrators—those who do business, and those who make business. On the whole, I prefer that class of administration which consists in doing business, and not making it. I think it would be a great mistake if you were to adopt any plan, the result of which would be the making of business for a Minister to do, and not having a Minister to do the business that has to be done. The best proof of that is, that while Lord Rosebery was transacting, as he did, to the satisfaction of Scotland, Scotch Business, he had plenty of time admirably to do English Business likewise. That showed that the idea that Scotch Business is starved because there is nobody to transact it is one which is not well founded. I should hope, therefore, that in constructing a Ministry which will be of solid advantage in the transaction of Scotch Business, the House would not desire to substitute the King Stork for the King Log, because that might be a substitution which might not be advantageous. It will be seen, if you bring to a central Minister more Business than at present exists, that Business must be really taken away from the local administration in

Scotland; and therefore there may be great danger of the destruction by the Minister of this kind of local self-government and an increase of centralization, practically bringing to this Minister in London matters which before were much better done by the administration in Scotland. I only mention that as a danger to be guarded against, because I know people who have advocated this measure seem to have thought that it was an increase of local government in Scotland; but unless great care is taken you may have exactly the opposite effect, because it may destroy that effect of, and abolish local government, and centralize in London a great deal more than was centralized before. As regards any successor in that administration of Scotch affairs, I should be rather disposed to give him the advice given to a celebrated individual—"Not to indulge in too great zeal in making business which at present is very well transacted by other people." It is quite plain that if a Parliamentary Minister is to do more than has hitherto been done, it will be so much cut away from the administration which at present is done by local bodies in Scotland. I believe myself that the dissatisfaction which unquestionably has existed more or less with reference to Scotch Business has not been so much in respect of the manner in which the Scotch Business has been done, as the fact that there has been so little time to do it. That has been an evil under which we have all suffered. England has suffered as much as Scotland in that respect, and you cannot expect a new Minister to make more time. The only remedy for that evil is be found in a better method of conducting our own business—a problem we have not been able to solve successfully as yet. I think I have said all that is necessary on the subject, beyond calling the attention of the House to the details of the Bill, which is a very short one. The Bill proposes to construct a Local Government Board for Scotland, and such Board shall consist of a President to be appointed by Her Majesty, and to hold Office during the pleasure of Her Majesty. That, in point of fact, is the establishment of a Minister to take charge of the administrative Business of Scotland. There will be associated with him, *ex officio*, as Members, the Secretaries of State, as in the Local Government Board, and the Board of Trade; but the effectual administration of the Office will be in the President of that Board. The President will receive a salary of £2,000 per annum; but I should say that the money will not be a charge upon the country, because it is intended to employ for that purpose the salary at present given to the person who holds the Office of Privy Seal. That is the manner in which the funds are to be provided. Then there will be such a staff as is requisite for the transaction of the business; but that will be settled by the Treasury. Of course, the President of the Board may be a Member of either House of Parliament. Then the material part which Scotch Members will wish to know is, what are to be the powers transferred to this Office? All the powers and duties vested in, or imposed on, one of Her Majesty's Principal Secretaries of State, or the Privy Council, or Local Government Board for England, so far as such powers relate to Scotland, shall, on and after the establishment of the Local Government Board, be transferred to, and vested in, and imposed upon, the President of the Board, and any Report or inquiry hitherto made to the Secretary of State shall be made to this Board. Clause 6 states—

> "Nothing in this Act shall prejudice or interfere with any rights, powers, privileges, or duties vested in or imposed on the Lord Advocate by any Act of Parliament, or custom."

The Schedule is the important part of the Bill, because it states the powers to be vested in the President of the Local Government Board—namely, Poor Law, Lunacy, Fishery Board, registration of births, deaths, and marriages, vaccination, the general police, burgh police, and improvements, division of burghs into wards, markets and fairs, prisons, public parks, general assessments, turnpike accounts, and the roads and bridges, locomotive regulations, the Glasgow Police, Sheriff Court Houses, Contagious Diseases (Animals) Act, artizans dwellings, local taxation, burial grounds, and rivers. [*Laughter.*] I do not know what makes hon. Members laugh. We want to transfer all the Business transacted by the Secretary of State into the hands of this Department. Then there are industrial schools, reformatories, mines, and so on, so that this will be a complete system of local administration in the hands of an independent Department. All questions belonging to law and justice, and higher questions of Executive Government, will remain as at present in the Office of the Secretary of State, acting on the advice of the Lord Advocate. That is the scheme the Government have to recommend. As I have said, they go rather further than the proposal of the late Administration; and it appears to me, as far as I can give any consideration to the matter, to provide for what seems to be desired—namely, to have the independent administration of local Scotch affairs in the hands of an independent Department, having high position and dignity in the hierarchy of administration. I hope that that is a proposal which will be considered moderate and practical; and if that is the view of the people of Scotland and their Representatives, then I hope the House will allow this Bill to be carried to a practical issue.

Motion made, and Question proposed, "That leave be given to introduce a Bill for constituting a Local Government Board for Scotland."—(*Sir William Harcourt.*)

Mr. DALRYMPLE said, he would not detain the House at that late hour by any lengthened observations upon the remarkable announcement which had been made to them by the Home Secretary (Sir William Harcourt). A great deal of interest had been taken, by anticipation, in the Bill the Government were now introducing, and that interest was heightened — if anything could heighten it—last night by the fact that the Home Secretary told them that the Bill was ready, and the speech was ready, and that the Notice alone was wanting, so that they had to wait until to-night for the introduction of the measure. He agreed with the right hon. Gentleman that the proposal was not a grandiose one. He did not wish to speak in disrespectful terms of a measure proposed by Her Majesty's Government, otherwise he should speak of it as a ludicrous one. As he understood it, there had been a great demand for an Under Secretary in this House. A remark had been made by the hon. Member for Burnley (Mr. Rylands), in the course of a discussion in Supply lately, to the effect that the Under Secretary of State for the Home Department ought to be in this House. With the exception of that remark he ventured to say—and he challenged contradiction—that there had not been a single expression in the House in favour of an Under Secretary being in this House rather than in the other. The manner in which that desire, expressed by the hon. Member for Burnley and endorsed by the Earl of Rosebery, was to be given effect to was this — that while there was now an Under Secretary of State for the Home Department in the House of Commons, there was to be a President of the Local Government Board in Scotland appointed, who was to be the Lord Privy Seal—that was to say, that the new functionary to be appointed to preside over local affairs in Scotland was to be the great Officer of State, the Lord Privy Seal. ["No, no!"] Well, he was to have the salary of the Lord Privy Seal He did not for a moment presume to say who the individual was to be, or to say that he would be called the Lord Privy Seal. On this point he would only congratulate Her Majesty's Government on their first step in the direction of economy since they came into Office, for they were now proposing to create a new Department without imposing additional expense on the country. The Office of this long-expected functionary in Scotland was to be combined with the Office of Lord Privy Seal, which had been for many years the pet aversion of the Liberal Party, the individual filling it having been familiarly known as "the Ministerial maid of all work." He (Mr. Dalrymple) confessed he regretted the introduction of this measure. He was aware there had been a movement—he could not call it a strong expression of feeling—in favour of some re-arrangement of the management of Scotch affairs. He did not for a moment believe that this change was necessary. Her Majesty's Government sheltered themselves under the precedent of the Bill of the late Government in 1878; but a more unfortunate precedent for them to take could not be imagined. He did not suppose that anyone who remembered that Bill but considered it a remarkably foolish one. That Bill proposed that an Under Secretary should be appointed, who would be the head of the Register Office at Edinburgh, which would necessitate his residence there, and the only thing that was alleged in favour of this unequal yoking was that it was desirable to take the salary of the Deputy Clerk Register.

Sir WILLIAM HARCOURT said, it was not so stated at the time.

Mr. DALRYMPLE said, it was well known at the time, and considered the best part of the measure, and it was in imitation of that measure that the present Bill was introduced. The Office of Lord Advocate was as capable now as it was then of fulfilling all that Scotch Members desired in reference to Scotch Business; but at that time, or shortly before the Bill of the right hon. Gentleman (Sir R. Assheton Cross) was introduced, the Lord Advocate's Office had received a severe blow, and the then Home Secretary absorbed, to a great extent, the duties of Lord Advocate, and a still worse thing happened, the separate official residence of the Lord Advocate was abolished. These two things considerably diminished the importance of the Office. When the present Government came into Office the right hon. Gentleman (Sir William Harcourt) inherited that state of things—he made no complaint either of the late Home Secretary who absorbed the power of Lord Advocate, or of the present Home Secretary who did not disgorge it—but the Office was not so eminent as it ought to be, though as capable as ever it was of independent existence, and, if permitted to survive, of fulfilling all that Scotch Members desired in reference to Scotch Business. He had referred to the remarkable absence of any movement in favour of the particular proposal the Home Secretary had made. The right hon. Gentleman made an extraordinary speech in favour of his own proposal, and he seemed to argue, as much as possible, against the Office he intended to create. He said it was a most undesirable thing to create an Office, and then make work for it; while it was apparent to anyone that there were plenty of people before to do the work; that there was no difficulty in getting work done; that, in fact, it was admirably done. No one would dispute that statement; but it was a remarkable thing that in explaining his measure, he pointed out how admirably things were done, and that it was most important that in creating a new Office it should not be supposed that there was more work than those at present charged with it were capable of fulfilling. He would not attempt to follow all the literary allusions of the right hon. and learned Gentleman in describing this measure; but he did think it hard that the long expected and latest birth of time should be called a *tertium quid.* He said "King Stork" was not to be substituted for "King Log;" but his (Mr. Dalrymple's) opinion was they were one and the same person, but that remained to be seen. Then they were to be careful lest they destroyed local self-government in Scotland in favour of centralization. There was one thing he heard with relief, and that was that the Scotch Education Department was not to be removed from Whitehall. It was not long since a Scotch Board in Edinburgh was abolished, and he thought it was possible that it would be proposed to remove the charge of education to this great personage who was to be called into existence. What were to be the duties of this great officer, this President of the Local Government Board in Scotland? He was to have nothing to do with law or justice, or the Prerogative of Mercy; but he would have to do with the Poor Law, lunacy, vaccination, turnpikes, rivers' pollution, and various other things. Lunacy bulked largely in the list, and he remembered it bulked largely in the Irish Church Act of the late Government. This was to be a very subordinate common-place official, so far as the duties were to go; but he was to be called by a high-sounding name, and he was to draw the salary of the Lord Privy Seal. He could not congratulate the Government on the announcement made, so far as he understood it at present, for it looked to him a little like a proposal to propitiate Scotch Members, and the hon. Member for Falkirk Burghs (Mr. Ramsay) in particular; and he could not but regret that it had been thought necessary to deal yet a further blow at the Office of Lord Advocate, for which he confessed he had considerable tenderness, when he remembered the eminent men who had occupied it in times past, and when he felt confident, as he did, that the present Law Officers of Scotland were equally capable with those who preceded them of performing the duties appertaining from long custom to the Office, if only they were not taken away. He would not detain the

House any longer; but he hoped the measure would be fully discussed on a later occasion. It was, he believed, a particularly unnecessary proposal, and that it did not cost any money to the country was the least important matter connected with it. He believed it was a further blow at the position of Lord Advocate, and that he greatly regretted. He could see nothing that had led to the introduction of the measure, except the peculiar circumstances that led to Lord Rosebery's retirement, and the remarks of the hon. Member for Burnley (Mr. Rylands).

MR. CRAIG-SELLAR said, he could not express great enthusiasm for the proposal. The work mentioned had been discharged by certain Boards in Scotland; and it seemed to him that work which had been ably, efficiently, and economically discharged by these Boards was to be taken from them, put into a mortar, and pounded up to produce some work for a new official.

SIR WILLIAM HARCOURT said, his hon. Friend had entirely misunderstood him if he supposed this Minister was to do the work of all those Departments he had mentioned. He would not have to do the work of the Board of Supervision, but only the functions that the Secretary of State had in reference to these Departments. The Departments would exist exactly as now. The new official would do that which the Secretary of State now did in reference to these Departments. It would be the substitution of the official in place of the Secretary of State. There would be no transfer of any of the duties from the Board to the new official, who would occupy the same relation to the Board as the Secretary of State now did. It was the transfer of the functions of the Secretary of State with reference to local government in Scotland to the new Office. In order that there might be no mistake, he had read the clause; but he would read it again. The clause he mentioned was the 5th—

> "All powers and duties vested in or imposed on one of Her Majesty's Principal Secretaries of State, or by the Privy Council, or the Local Government Board for England by the enactments in that behalf specified in the Schedule hereto."

MR. CRAIG-SELLAR said, he was glad to hear he had misunderstood the Home Secretary; but the doubt which existed before the clause was read only intensified what he was going to say—namely, that he hoped the Bill would be at once circulated and sent to Scotland, in order that the House might have an expression of the definite and authentic opinion of the people of Scotland before the Bill passed into law. It was a measure of far too much importance to pass *sub silentio* at the close of a Session; and it was of first importance that it should be discussed and understood in Scotland before even the second reading was taken. There were two points in the Bill which were satisfactory. One of these was that the administration of the educational system was not to be entrusted to the new official, but that this would be performed by the Education Department as heretofore. It would be unfortunate if any change were made which might interfere with what he hoped might ultimately be the case—namely, that there should be a Minister for Public Education, who would discharge the duties connected with England, Scotland, and Ireland. The other point which was satisfactory was, that the work committed to the Lord Advocate, and which had been so efficiently discharged, was not to be superseded.

SIR GEORGE CAMPBELL said, as from both sides of the House opinions had been expressed unfavourable to the Bill, he wished to say that, at the first blush, he very much liked the proposal of the Government. It seemed to him a very happy *tertium quid.* A Local Government Board, or something of that nature, was very much wanted in Scotland. Local Boards needed a good deal of looking after, and though they were good on the whole, they were not sufficiently under the control of Parliament. In local statistics Scotland was very far behind England and Ireland. It seemed to him that Her Majesty's Government, in taking the opportunity of creating a Local Government Board for Scotland, and transferring to that Board all those parts of the Business not general or Imperial transacted by the Home Office, would accomplish a good object. One question he would like to ask; he believed, although the President of the Board would not necessarily be a Peer, it was possible that he would be; in that case, who would represent the Department in the House of Commons?—for, after all, it was in the House of Commons that the Business would be.

Sir WILLIAM HARCOURT said, both the Secretary of State for the Home Department and the Lord Advocate would be *ex officio* Members of the Board, and would, in the event of the President being in the other House, be answerable in the Commons for the action of the Board.

Sir JOHN HAY said, he did not understand that this new Minister was to be a Member of the Cabinet, and the Scotch Members then would have no influence beyond that they already possessed in the conduct of Scotch Business. With the Home Secretary and the Lord Advocate, the House would be just where it was, and he should be glad if it was so. No doubt, it would be convenient to some person to draw this salary; but he (Sir John Hay) trusted he would do nothing further in reference to Scotch affairs. The right hon. and learned Gentleman the Home Secretary did not go back to the valuable Report of the Commission of 1879, and the investigation by Sir William Clark and Lord Camperdown. Excellent evidence was given, amongst which was that given by Sir William Gibson Craig, because he was aware of the disadvantage that occasionally occurred when the Lord Advocate was not able to get a seat in Parliament. In such a case, Sir William Gibson Craig said, it appeared to him that when there was a Scotch Lord of the Treasury, he was the fittest and most proper person to conduct Scotch Business; and this was also his (Sir John Hay's) opinion. "Herrings" and "vaccination" would principally concern the duties of the Office, questions with which his hon. Friend opposite (Mr. R. W. Duff) was quite able to deal. All that had been said in reference to the Lord Advocate he could confirm; and it was not only his own opinion, but that of every Scotchman he knew, that there was no desire that the Office of Lord Advocate, held now by an eminent lawyer—as eminent as any of his Predecessors, and as capable of performing the duties—they had no desire to see Scotch Business taken out of his hands. He agreed with his hon. Friend (Mr. Dalrymple) that the late Home Secretary set the bad example of muzzling the Lord Advocate, and attempted to do Scotch Business that was better done by the Lord Advocate. This, unfortunately, had gone on, and the real cure was not a noble Lord in "another place," but that a Lord Advocate should come to the House of Commons and do duty for Scotland, referring, of course, questions of great importance to the Cabinet, but who would meet Scotch Members assembled, as Lord Moncreiff used to, in the Tea Room. He mentioned Lord Moncreiff because he sat on the other side; but he might mention Lord Mure, and other Representatives of the Office of Lord Advocate. But the present was not the time to discuss the Bill, and when it came to be known in Scotland he hoped it would not be heard of again in the House.

Mr. DICK-PEDDIE said, he did not rise for the purpose of making any remarks on the proposed scheme for the arrangement of Scottish Business. He should like, before expressing any opinion on it, to have time to give it careful consideration. He wished to say, however, that he had never recognized the necessity for any material departure from the present arrangements. He was not one of those Members of whom the right hon. Gentleman the Secretary of State for the Home Department had spoken, who had memorialized the Prime Minister on the subject. He had declined to sign Memorials, both before Lord Rosebery's appointment and since his appointment. He had always, in answer to the complaints made in Scotland about neglect of Scottish Business in that House, pointed out that that neglect was greatly exaggerated. It should be remembered that, in all matters of Imperial legislation, Scotland benefited equally with England; and if it were the case, as undoubtedly it was, that there was great difficulty in passing measures specially relating to Scotland, the difficulty was not confined to these measures. The block of Business in the House affected measures in which England was specially interested, as well as those which dealt with Scotch matters. He wished to point out to the right hon. and learned Gentleman that the terms of his Motion suggested that the proposed Local Government Board was to have its seat in Scotland. The Board was described as the "Local Government Board in Scotland." It was, no doubt, this that had led his hon. Friend the Member for Haddington to suppose that it was intended to do away with the Board of Supervision, the Prison Board, and other administrative Boards in Scotland. What had fallen from the Home Secretary showed that it was not intended to interfere with these Boards, and that the proposed Board was to be located in London. He would suggest that the word "for" should be substituted for the word "in," and that the Board should be called "The Local Government Board for Scotland."

Question put, and *agreed to.*

Bill for constituting a Local Government Board for Scotland, *ordered* to be brought in by Secretary Sir WILLIAM HARCOURT and The LORD ADVOCATE.

Bill *presented*, and read the first time. [Bill 251.]

LOCAL AUTHORITIES (REMOVAL OF DISQUALIFICATION) BILL.

On Motion of Mr. JOHN MORLEY, Bill to amend the Law respecting the Disqualification of Members of Local Authorities having shares or interests in newspapers, *ordered* to be brought in by Mr. JOHN MORLEY, Mr. STUART-WORTLEY, Mr. STEWART MACLIVER, and Mr. COWEN.

Bill *presented*, and read the first time. [Bill 252.]

House adjourned at a quarter before Two o'clock till Monday next.

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LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.

PROTEST.

HOUSE OF LORDS, TUESDAY, 12TH JUNE, 1883.

REPRESENTATIVE PEERS (SCOTLAND) BILL.

" *DISSENTIENT:*

" 1. Because, while purporting to be 'A Bill to regulate Procedure at the " 'Elections of Representative Peers for Scotland,' it is personal and invidious " in its bearing and character.

" 2. Because Clause 2 gives retrospectively a legal effect to the Protest of " one Peer, whereas by the 10 and 11 Vict., c. 52, it was enacted that the action " by Protest of 'two or more Peers' voting at an Election should be requisite " before it was open to the House of Lords to call upon anyone claiming his " right to vote to establish such right—the said Act 10 & 11 Vict., c. 52, remaining " unrepealed.

" 3. Because, by this retrospective action of Clause 2, one Peer, and one " Peer only, whose vote has been received at various Elections of Representative " Peers for Scotland will be excluded from the Election Roll, as first to be prepared by the Lord Clerk Register.

" 4. Because, in making up this new Election Roll, either the ancient Earldom of Mar, which remained untouched by the Order or Resolution of the " House of Lords relative to a title of Mar decided to have been created in 1565, " will disappear from the Roll; or, if it is placed upon the new Roll in its present " position upon the Union Roll, a higher order of precedency will be given to " the modern Earldom than that to which it has been decided to be entitled.

" 5. Because, under Clause 2, any Peer of Scotland, other than a Representative Peer or a Peer who has had his right established by Order or Resolution " of the House of Lords, may at any time be struck off the Election Roll by the " Protest of one Peer only, and may be kept off the said Roll until he has proceeded by Petition to the Crown and established his right before the House " of Lords.

" 6. Because it is proposed, by the peculiar wording of part of Clause 7, for " the first time to recognize a claim to an order of precedency lower than that " assigned on the Union Roll in virtue of the Decreet of the Commissioners of " Ranking appointed by King James VI. in 1605-6.

" 7. Because, by Clause 8, it is proposed to be enacted that any Peer whose " right to one Peerage on the Roll of Scottish Peers shall have been established " 'before or after the passing of this Act by any Order or Resolution of the " 'House of Lords, upon any Petition referred to the House of Lords by Her " 'Majesty,' shall not be liable to protest against his vote or claim to vote being " recorded upon any other Peerage to which his right shall not have been so " established.

" BLANTYRE.
" HADDINGTON.
" GALLOWAY.
" WEMYSS.
" KINTORE.
" STRATHEDEN AND CAMPBELL.
" STRATHNAIRN.
" WINDSOR.
" STANLEY OF ALDERLEY."

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCLXXX.

FIFTH VOLUME OF SESSION 1883.

Explanation of the Abbreviations.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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(*Sir John Jenkins, Mr. Dillwyn, Mr. Stuart-Wortley*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *June* 28 [Bill 246]

Companies (Colonial Registers) Bill
(*Sir John Lubbock, Mr. Macnaghten, Mr. Salt*)
c. Read 2° * *June* 25 [Bill 185]

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(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Courtney*)
c. Committee *; Report *June* 8
Read 3° * *June* 11
l. Read 1ª * (*Earl Granville*) *June* 12
Read 2ª *; Committee negatived *June* 14
Read 3ª * *June* 15
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l. Committee *; Report *June* 8 (No. 75)
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(*The Earl of Rosebery*)
l. Moved, "That the Bill be now read 2a" *June* 18, 766
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Original Motion agreed to; Bill read 2a
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c. Motion for Leave (*The Marquess of Hartington*) *June* 28, 1834; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 247]

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(*The Lord President*)
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(*Mr. Courtney, Mr. Trevelyan*)
c. Ordered; read 1°* *June* 8 [Bill 220]
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Read 3°* *June* 25
l. Read 1ª* (*Lord Thurlow*) *June* 25 (No. 124)
Read 2ª* *June* 26

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ECROYD, Mr. W. F., *Preston*
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Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 406; *cl.* 6, 1606

Education Department (*Questions*)
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Board School Accommodation for Infants, Question, Mr. Hastings; Answer, Mr. Mundella *June* 28, 1707
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Entertainments for School Children (Precautions), Question, Mr. W. H. James; Answer, Mr. Mundella *June* 29, 1869

Education, Minister of
Amendt. on Committee of Supply *June* 29, To leave out from "That," add "in the opinion of this House, it is desirable that there should be a separate Department of Education" (*Sir John Lubbock*) *v.*, 1933; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Sir Herbert Maxwell*); after further short debate, Motion withdrawn; Amendt. withdrawn
Original Question again proposed, 1973
Amendt. to leave out from "That," add "a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured" (*Sir Lyon Playfair*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question proposed, "That the words 'a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,' be there added"
Amendt. at end of proposed Amendt. add "and how such other duties as would fall within the province of a Minister of Public Instruction may be best discharged" (*Mr. Illingworth*); Question proposed, "That those words be there added;" after further short debate, Question put; A. 8, N. 104; M. 96 (D. L. 156)
Question, "That the words 'a Select Committee be appointed to consider how the Ministerial responsibility, under which the Votes for Education, Science, and Art are administered, may be best secured,' be added after the word 'That' in the original Question," put, and agreed to
Main Question, as amended, put, and agreed to

Education (Scotland) Bill
(*Mr. Mundella, The Lord Advocate, Mr. Solicitor General for Scotland*)
c. Ordered; read 1°* *June* 13 [Bill 226]
[*cont.*

Education (Scotland) Bill—cont.
Unauthorized Publication, Questions, Mr. J. A. Campbell, Sir Herbert Maxwell; Answers, Mr. Mundella *June* 18, 791

EGERTON, Hon. A. F., *Wigan*
Navy Estimates—Military Pensions and Allowances, 1805
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Trials of Said Bey Khandeel and Suleiman Sami, Questions, Mr. Gorst, Sir Wilfrid Lawson, Sir H. Drummond Wolff, Baron Henry De Worms; Answers, Lord Edmond Fitzmaurice, Mr. Gladstone *June* 12, 382
Trial of Said Bey Khandeel—Complicity of the Khedive and Arabi Pasha, Question, Mr. Labouchere; Answer, Lord Edmond Fitzmaurice *June* 29, 1873

The Expeditionary Force
The Army Medical Department, Questions, Dr. Cameron, Sir H. Drummond Wolff, Lord Randolph Churchill; Answers, The Marquess of Hartington *June* 8, 27
The Army Hospital Corps—Deficiency in Men and Supplies, Question, Sir Trevor Lawrence; Answer, The Marquess of Hartington *June* 11, 218

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Commissariat Supplies (*Hay*), Question, Dr. Cameron ; Answer, Mr. Brand *June* 28, 1694

Egyptian Exiles in Ceylon, Questions, Mr. Labouchere, Mr. E. Stanhope, Sir Henry Holland ; Answers, Lord Edmond Fitzmaurice *June* 11, 197 ; Question, Sir Henry Holland ; Answer, Lord Edmond Fitzmaurice *June* 14, 538
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Major Baring, Her Majesty's Consul General, Question, Lord Randolph Churchill ; Answer, Lord Edmond Fitzmaurice *June* 28, 1692
[See titles *Diplomatic Service—Supply—Diplomatic Vote*]
Omar Pasha Lufti, Question, Lord Randolph Churchill ; Answer, Lord Edmond Fitzmaurice *June* 29, 1867

Reported Cholera at Damietta, Questions, Mr. Cartwright, Mr. J. Lowther ; Answers, Lord Edmond Fitzmaurice *June* 28, 1706
The Army of Occupation — Precautionary Measures against Cholera, Question, Viscount Folkestone ; Answer, The Marquess of Hartington *June* 29, 1872
[See title *Suez Canal*]

Electric Lighting Provisional Orders (Cambridge, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. 2R., after short debate, Debate adjourned *June* 26, 1549
Read 2° * *June* 27 [Bill 216]

Electric Lighting Provisional Orders (No. 2) (Ashton, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. 2R., Debate adjourned *June* 26, 1549
Read 2° * *June* 27 [Bill 217]

Electric Lighting Provisional Orders (No. 3) (Halsall Heath, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Read 2° * *June* 27 [Bill 218]

Electric Lighting Provisional Orders (No. 4) (Barton, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 12 [Bill 223]

Electric Lighting Provisional Orders (No. 5) (Bermondsey, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 12 [Bill 224]

Electric Lighting Provisional Orders (No. 6) (Limehouse, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 14 [Bill 227]

Electric Lighting Provisional Orders (No. 7) (Barnes, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 15 [Bill 229]

Electric Lighting Provisional Orders (No. 8) (Bradford, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 18 [Bill 230]

Electric Lighting Provisional Orders (No. 9) (Bristol, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 19 [Bill 238]

Electric Lighting Provisional Orders (No. 10) (Chiswick, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 29 [Bill 249]

Electric Lighting Provisional Orders (No. 11) (Dundee) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Ordered ; read 1° * *June* 29 [Bill 250]

Elementary Education Provisional Orders Confirmation (Cummersdale, &c.) Bill [H.L.]
c. Report* *June* 13 [Bill 163]
Read 3° * *June* 14
l. Royal Assent *June* 18 [46 *Vict.* c. xlii]

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*The Lord President*)
l. Read 3ª * *June* 8 (No. 31)
c. Read 1° * *June* 18 [Bill 236]
Read 2° * *June* 26

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Elliot, Hon. A. R. D., *Roxburgh*
High Court of Justice (Service of Writs), 2R. 473
Law and Justice (England and Wales)—Summer Circuits, 781
Local Government Board (Scotland), 1874

Elphinstone, Lord
Representative Peers (Scotland), Report, *cl.* 2, 21

Emly, Lord
Africa (South)—Basutoland, 520

Employers' Liability Act (1880) Amendment Bill (*Mr. Burt, Mr. Broadhurst, Mr. Dick-Peddie, Mr. O'Connor Power, Mr. Passmore Edwards, Mr. Macliver*)
c. Moved, "That the Bill be now read 2°" *June* 13, 504
Amendt. to leave out from "That," add "it is inexpedient to interfere with that freedom of contract between Employers and Employed which enables them to contract themselves out of the Act of 1880, and by mutual arrangement and mutual payment to make provision for every workman who may be injured and the family of every workman who may be killed; whether the accident is one coming under the provisions of the Act of 1880, or is one not so provided for" (*Sir Joseph Pease*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 38, N. 149; M. 111 (D. L. 134)
Words added; main Question, as amended, put, and agreed to [Bill 33]

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Egypt (Military Expedition) — Manchester Regiment and Seaforth Highlanders—Field Allowance, 515

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Factories and Workshops Amendment Bill [H.L.] (*The Earl of Dalhousie*)
l. Presented; read 1ª * *June* 19 (No. 113)

FARQUHARSON, Dr. R., *Aberdeenshire, W.*
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  Contracts—Irish Mail Service, 380, 788
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  Capture of Tamatave by the French, 985
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Forest of Dean (Highways) Bill
(*Mr. Courtney, Mr. Herbert Gladstone*)
c. Report of Select Comm. * *June* 11
Committee * (*on re-comm.*); Report *June* 12
Read 3° * *June* 14 [Bill 222]
l. Read 1ª * (*Lord Thurlow*) *June* 15 (No. 98)
Read 2ª * *June* 25

FORSTER, Right Hon. W. E., *Bradford*
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FOWLER, Mr. H. H., *Wolverhampton*
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FOWLER, Mr. R. N., *London*
Friendly Societies (Nominations), Consid. 1830
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FOWLER, Mr. W., *Cambridge*
Banking Laws (Scotland), 2R. 1644
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 2, 733; *cl.* 4, 1227, 1303

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France and Madagascar—See title *Madagascar*

France and Tunis—The Capitulations
Question, Mr. Montague Guest; Answer, Lord Edmond Fitzmaurice *June* 26, 1555

Friendly, &c. Societies (Nominations) Bill (*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote*)
c. Committee; Report *June* 14, 651 [Bill 117]
Moved, "That the Bill, as amended, be now considered" *June* 28, 1824
Moved, "That the Bill be re-committed" (*Mr. Whitley*); after short debate, Motion withdrawn
Bill considered; after short debate, Further Consideration, as amended, deferred [Bill 228]

FRY, Mr. T., *Darlington*
Parliament—Business of the House, Ministerial Statement, 1707

GALLOWAY, Earl of
Representative Peers (Scotland), Report, *cl.* 2, 18, 19, 21; 3R. 328

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Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1500, 1519, 1531, 1568, 1569

GARNIER, Mr. J. CARPENTER-, *Devon, S.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1487

Gas and Water Provisional Orders (Bilston Gas, &c.) Bill
(*The Lord Sudeley*)
l. Read 2ª * *June* 15 (No. 76)
Report * *June* 21
Read 3ª * *June* 22
Royal Assent *June* 29 [46 & 47 *Vict.* c. xlvi]

General Police and Improvement (Scotland) Provisional Order (Broughty Ferry Paving) Bill (*The Lord Rosebery*)
l. Royal Assent *June* 18 [46 *Vict.* c. xix]

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GIBSON, Right Hon. E., *Dublin University*
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GIFFARD, Sir H. S., *Launceston*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 572, 577, 579; *cl.* 2, 844, 880; *cl.* 4, 1236, 1241; Amendt. 1332, 1333, 1334; *cl.* 5, 1445, 1446

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GORDON, General Hon. Sir A. H., *Aberdeenshire, E.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 5, 1440, 1441

GORST, Mr. J. E., *Chatham*
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High Court of Justice (Continuous Sittings) Bill (*Mr. Whitley, Lord Claud Hamilton, Mr. Jacob Bright, Mr. Samuel Smith, Mr. Slagg, Mr. Lewis Fry*)
c. Ordered; read 1° * *June* 18 [Bill 233]

High Court of Justice (Service of Writs) Bill (*Mr. Anderson, Mr. Cochran-Patrick, Mr. Buchanan, Mr. James Campbell, Mr. Bolton, Mr. Arthur Elliot, Mr. Armitstead*)
c. Moved, "That the Bill be now read 2°" *June* 12, 468
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Main Question put, and agreed to; Bill read 2° [Bill 184]

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HOWARD, Mr. J., *Bedfordshire*
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Imprisonment for Debt Bill
(*Mr. Anderson, Mr. Michael Bass, Sir Henry Wolff, Mr. Broadhurst*)
c. Bill withdrawn, after short debate *June* 27, 1626 [Bill 79]

Inclosure Provisional Order (Hildersham) Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Read 2° * *June* 12 [Bill 209]
Report * *June* 20
Read 3° * *June* 21
l. Read 1ª * (*The Earl of Dalhousie*) *June* 22
Read 2ª * *June* 26 (No. 115)

INDIA (*Questions*)
Alleged Attack upon British Troops on the Afghan Frontier, Question, Mr. O'Kelly; Answer, The Marquess of Hartington *June* 28, 1716
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mead-Bartlett; Answer, Mr. J. K. Cross *June* 18, 800; Question, Sir Herbert Maxwell; Answer, Mr. J. K. Cross *June* 25, 1420; Question, Mr. Ashmead-Bartlett; Answer, Mr. J. K. Cross *June* 26, 1552
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India Office—The Permanent Under Secretary of State—Appointment of Mr. Godley—[See title *Public Departments*]

India (*Palconda*)
Moved, "That a Select Committee be appointed to inquire into the case of the ex-Zemindar of Palconda and the confiscation of his property at a time when he was a ward of the British Court of Wards" (*The Lord Stanley of Alderley*) *June* 18, 756; after short debate, on Question? resolved in the negative
Question, Mr. O'Donnell; Answer, Mr. J. K. Cross *June* 25, 1414

Indian Marine Bill [H.L.]
(*The Earl of Kimberley*)
l. Presented; read 1ª* *June* 12 (No. 88)
Read 2ª, after short debate *June* 18, 775
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Read 3ª* *June* 21

Infectious Diseases Notification Bill
(*Mr. Hastings, Sir Trevor Lawrence, Dr. Farquharson, Mr. Brinton*)
c. 2R., [House counted out] *June* 27, 1650 [Bill 100]

Intermediate Education (*Wales*) *Bill*
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The Irish Butter Trade—Cork Butter Market, Question, Mr. Moore; Answer, Mr. Trevelyan *June* 25, 1406

Arrears of Rent (*Ireland*) *Act*, 1882
Tenantry near Gweedore, Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan; Question, Mr. T. P. O'Connor; [no reply] *June* 25, 1413
The Irish Church Fund, Question, The Duke of St. Albans; Answer, Lord Thurlow *June* 28, 1688

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Alleged Poisoning of Mr. Jury, Question, Mr. Biggar; Answer, Mr. Trevelyan *June* 18, 792
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Disqualification of Jurors, Question, Mr. O'Brien; Answer, The Attorney General for Ireland *June* 28, 1696
James Carey, the Approver, Question, Mr. Mayne; Answer, The Attorney General for Ireland *June* 26, 1551
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Crown Solicitors — Mr. Givan, Questions, Colonel Nolan, Mr. Arthur O'Connor; Answers, Mr. Trevelyan; Question, Mr. Callan; [No reply] *June* 11, 226
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Workhouse Schools, Observations, Mr. Moore *June* 15, 750 [House counted out]

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Case of Sub-Constable Walsh, Question, Mr. Sexton; Answer, Mr. Trevelyan *June* 15, 688

Ireland—Local Government Board
Amendt. on Committee of Supply *June* 22, To leave out from "That," add "in the opinion of this House, the Local Government Board in Ireland should have powers to deal with exceptional distress similar to those enjoyed by the Local Government Board in England, and the Board of Supervision in Scotland; and, further, that Boards of Guardians in Ireland should have the same discretion with regard to outdoor relief that Boards of Guardians have in England, subject to the control of the Local Government Board" (*Colonel Colthurst*) *v.*, 1343; Question proposed, "That the words, &c.;" after long debate, Question put; A. 82, N. 24; M. 58 (D. L. 149)
See titles *Land Law* (*Ireland*) *Act*, 1881
Land Law (*Ireland*) *Act*, 1881—*Irish Land Commission*
Prevention of Crime (*Ireland*) *Act*, 1882

Irish Reproductive Loan Fund Act (1874) Amendment Bill
(*Mr. Blake, Mr. O'Kelly, Dr. Commins, Mr. T. P. O'Connor*)
c. Moved, "That the Bill be now read 2°" *June* 27, 1619; Moved, "That the Debate be now adjourned" (*Colonel King-Harman*); after short debate, Motion withdrawn
Original Question again proposed, 1621; after short debate, original Question put, and agreed to; Bill read 2° [Bill 39]

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Question, Captain Price; Answer, Mr. Evelyn Ashley *June* 14, 556

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JAMES, Mr. W. H., *Gateshead*
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KING-HARMAN, Colonel E. R., *Dublin County*
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  Fisheries, 1713
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KINGSCOTE, Colonel R. N. F., *Gloucestershire, W.*
Army Estimates—Establishments for Military Education, 1800
Parliament—Public Business, 223
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KNIGHT, Mr. F. W., *Worcestershire, W.*
Local Government Board (Ireland), Res. 1364, 1370

KNIGHTLEY, Sir R., *Northamptonshire, S.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1503, 1888

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Lord Wolseley's Grant, Comm. Amendt. 291; *cl.* 1, Amendt. 311
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Labourers (Ireland) Bill
(*Mr. T. P. O'Connor, Mr. Parnell, Sir Joseph M'Kenna, Mr. Callan, Mr. Lalor*)
c. Question, Mr. Sexton; Answer, Mr. Trevelyan *June* 14, 565
Committee; Report *June* 21, 1244 [Bill 29]

Land Drainage Provisional Order (No. 2) (Didcot, &c.) Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Read 2°* *June* 12 [Bill 210]
Report* *June* 20
Read 3°* *June* 21
l. Read 1ª* (*Lord Ramsay*) *June* 22 (No. 116)
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Land Improvement and Arterial Drainage (Ireland) Bill
Question, Colonel Colthurst; Answer, Mr. Courtney *June* 14, 563
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Land Law (Ireland) Act, 1881
Provisions as to Labourer's Cottages, Questions, Mr. O'Sullivan, Mr. Kenny; Answers, Mr. Trevelyan *June* 25, 1417
Rights to Turf and Sea Weed, Question, Mr. Thomas Lea; Answer, Mr. Trevelyan *June* 19, 926
Section 31—*Loans to Tenants*, Question, Observations, The Marquess of Waterford; Reply, Lord Carlingford; short debate thereon *June* 22, 1254; Question, Mr. O'Connor Power; Answer, Mr. Courtney, 1273

Land Law (Ireland) Act, 1881 (*Purchase Clauses*)
Moved, "That, in the opinion of this House, an immediate revision of the Purchase Clauses of the Irish Land Act, 1881, is necessary, in order to give effect to the intentions of Parliament contained therein" (*Lord George Hamilton*) *June* 12, 412; after long debate, Motion withdrawn
Resolved, That, in the opinion of this House, an early revision of the Purchase Clauses of the Irish Land Act, 1881, is necessary, in order to give effect to the intentions of Parliament contained therein (*Lord George Hamilton*)

Land Law (Ireland) Act, 1881—*The Irish Land Commission*
Fair Rents, Question, Mr. W. J. Corbet; Answer, Mr. Trevelyan *June* 28, 1695
Section 60—"*Chaine v. Nelson*," Question, Mr. Tottenham; Answer, Mr. Trevelyan *June* 11, 198
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Cashel Union, Question, Mr. Mayne; Answer, Mr. Trevelyan *June* 12, 379
Co. Mayo, Question, Colonel King-Harman; Answer, Mr. Trevelyan *June* 11, 205

Land Tenure—Ground Leases
Question, Sir H. Drummond Wolff; Answer, Mr. Gladstone *June* 11, 228

Lands Clauses (Umpire) Bill
(*The Earl of Jersey*)
l. Read 2ª * *June* 11 (No. 71)
Committee *; Report *June* 12
Read 3ª * *June* 14
Royal Assent *June* 18 [46 *Vict.* c. 15]

Law and Justice (England and Wales)
Assizes and Quarter Sessions, Question, The Earl of Powis; Answer, Lord Coleridge *June* 21, 1116
Dormant Funds in Chancery, Question, Mr. Stanley Leighton; Answer, Mr. Courtney *June* 29, 1866

Law and Justice (England and Wales)—cont.
The Summer Circuits, Question, Mr. Arthur Elliot; Answer, Sir William Harcourt *June* 18, 781

Law and Police
Alleged Cruelty to a Horse, Question, Mr. Broadhurst; Answer, Sir William Harcourt *June* 25, 1408
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(*Lord President*)
l. Committee * ; Report *June* 8 (No. 64)
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Local Government (Ireland) Provisional Orders (No. 2) Bill [H.L.]
c. Read 2° * *June* 11 [Bill 211]
Report * *June* 28
Read 3° * *June* 29

Local Government (Ireland) Provisional Orders (No. 3) (Killarney) Bill
(*Lord President*)
l. Read 2ª * *June* 15 (No. 81)
Committee * ; Report *June* 18
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Local Government Provisional Orders Bill (*Lord Carrington*)
l. Royal Assent *June* 18 [46 *Vict.* c. xviii]

Local Government Provisional Order (No. 2) (West Hartlepool) Bill
(*Mr. Hibbert, Sir Charles Dilke*)
c. Read 3° * *June* 11 [Bill 143]
l. Read 1ª * (*Lord Carrington*) *June* 12 (No. 87)
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l. Read 2ª * *June* 19 (No. 73)
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l. Read 2ª * *June* 19 (No. 74)

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c. Report * *June* 13 [Bill 194]
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c. Report * *June* 20 [Bill 195]
Considered * *June* 21
Read 3° * *June* 22
l. Read 1ª * (*Lord Carrington*) *June* 25 (No. 122)
Read 2ª * *June* 26

Local Government Provisional Orders (No. 7) (Bognor, &c.) Bill (*Mr. Hibbert, Sir Charles Dilke*)
c. Report * *June* 13 [Bill 196]
Considered * *June* 14
Read 3° * *June* 15
l. Read 1ª * (*Lord Carrington*) *June* 18 (No. 102)
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Local Government Provisional Orders (No. 8) (Kingston-upon-Hull, &c.) Bill (*Mr. Hibbert, Sir Charles Dilke*)
c. Report * *June* 20 [Bill 199]
Considered * *June* 21
Read 3° * *June* 22
l. Read 1ª * (*Lord Carrington*) *June* 25 (No. 123)
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Local Government Provisional Orders (No. 9) (Haslingden, &c.) Bill (*Mr. Hibbert, Sir Charles Dilke*)
c. Report * *June* 22 [Bill 200]
Read 3° * *June* 25
l. Read 1ª * (*Lord Carrington*) *June* 25 (No. 125)
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Local Government Provisional Orders (No. 10) (Leeds) Bill (*Mr. Hibbert, Sir Charles Dilke*)
c. Read 2° * *June* 12 [Bill 206]
Report * *June* 20
Read 3° * *June* 21
l. Read 1ª * (*Lord Carrington*) *June* 22 (No. 117)
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Local Government Provisional Orders (Highways) (County of Dorset) Bill (*Mr. Hibbert, Sir Charles Dilke*)
c. Report * *June* 13 [Bill 193]
Considered * *June* 14
Read 3° * *June* 15
l. Read 1ª * (*Lord Carrington*) *June* 18 (No. 103)
Read 2ª * *June* 25
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Local Government Provisional Orders (Poor Law) (Brafield-on-the-Green, &c.) Bill (*Lord Carrington*)
l. Read 2ª * *June* 19 (No. 67)
Committee * ; Report *June* 28
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Local Government Provisional Orders (Poor Law) (No. 2) (Black-Torrington) &c.) Bill (*Mr. Hibbert, Sir Charles Dilke*)
c. Report * *June* 12 [Bill 177]
Read 3° * *June* 13
l. Read 1ª * (*Lord Carrington*) *June* 14 (No. 89)
Read 2ª * *June* 25

Local Government Provisional Orders (Poor Law) (No. 3) (Birmingham and Lambeth) Bill (*Mr. Hibbert, Sir Charles W. Dilke*)
c. Report * *June* 13 [Bill 192]
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l. Read 1ª * (*Lord Carrington*) *June* 15 (No. 99)
Read 2ª * *June* 25
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Local Government (Gas) Provisional Order (Festiniog) Bill (*Lord Carrington*)
l. Read 2ª * *June* 19 (No. 72)

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London Commissioners of Sewers (Ventilation of Railways) Bill (by Order)
c. Order for 2R. read *June* 11, 188
Moved, "That the Bill be referred to a Hybrid Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection" (*Mr. Anderson*) ; after short debate, Question put ; A. 73, N. 171 ; M. 98 (D. L. 124)

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c. Order for Committee (*on re-comm.*) read ; Moved, "That Mr. Speaker do now leave the Chair" *June* 8, 38
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Read 3° * *June* 14 [Bill 207]
l. Read 1ª * (*Earl of Northbrook*) *June* 15 (No. 95)
Read 2ª, after short debate *June* 21, 1099
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Lord Wolseley's Grant Bill
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c. Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *June* 11, 288
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Questions, Mr. W. J. Corbet, Mr. Arthur O'Connor; Answers, Sir William Harcourt, Mr. Trevelyan *June* 25, 1418

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(*The Lord President*)
l. Presented; read 1ª * *June* 12 (No. 85)

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McLAREN, Mr. C. B. B., *Stafford*
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MACLIVER, Mr. P. S., *Plymouth*
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(*Mr. Coleridge Kennard, Sir Charles Mills, Sir John Lubbock, Mr. Hubbard*)
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  Question, Mr. H. S. Northcote; Answer, Sir William Harcourt *June* 11, 227

Marriage with a Deceased Wife's Sister Bill [H.L.] (*The Earl of Dalhousie*)
l. Moved, "That the Bill be now read 2ª" *June* 11, 143
  Amendt. to leave out ("now,") add ("this day six months" (*The Earl Cairns*); after long debate, on Question, That ("now,") &c.? (leave being given to the Lord Middleton to vote in the House); Cont. 165, Not-Cont 158; M. 7
  Resolved in the affirmative; Bill read 2ª
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  Committee, after short debate *June* 19, 898
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  Amendt. to leave out ("now,") add ("this day six months") (*The Duke of Marlborough*); after debate, on Question? (leave being given to the Lord Middleton and the Lord Mostyn to vote in the House); Cont. 140, Not-Cont. 145; M. 5
  Resolved in the negative; and Bill to be read 3ª on this day six months (No. 129)
    Div. List, Cont. and Not-Cont., 1686

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Metropolis Improvement Provisional Order (Saint George-in-the-East) Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Read 2° * *June* 12 [Bill 173]
Report * *June* 20
Read 3° * *June* 21
l. Read 1ª * (*Earl of Dalhousie*) *June* 22 (No. 118)
Read 2ª * *June* 26

Metropolis Improvement Provisional Order (No. 2) (Limehouse) Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Read 2° * *June* 12 [Bill 174]
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Metropolis Improvement Provisional Order (*No.* 2 (*Limehouse*) *Bill*—cont.
Report * *June* 20
Read 3° * *June* 21
l. Read 1ª * (*Earl of Dalhousie*) *June* 22 (No. 119)
Read 2ª * *June* 26

Metropolis Improvement Provisional Order (No. 3) (Lambeth) Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Read 2° * *June* 12 [Bill 175]
Report * *June* 20
Read 3° * *June* 21
l. Read 1ª * (*Earl of Dalhousie*) *June* 22 (No. 120)
Read 2ª * *June* 26

Metropolis Improvement Provisional Order (No. 4) (Greenwich) Bill
(*Mr. Hibbert, Secretary Sir William Harcourt*)
c. Read 2° * *June* 13 [Bill 214]
Report * *June* 20
Read 3° * *June* 21
l. Read 1ª * (*Earl of Dalhousie*) *June* 22 (No. 121)
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Criminal Law Amendment, Comm. *cl.* 12, 1399

MOUNT-TEMPLE, Lord
Criminal Law Amendment, Comm. *cl.* 7, Amendt. 1394, 1395; *cl.* 8, Amendt. *ib.*; Report, *add. cl.* 1858; *cl.* 7, Amendt. 1859; *cl.* 9, 1861

MUNDELLA, Right Hon. A. J. (Vice President of the Committee of Council on Education), *Sheffield*
Charity Commissioners—The Griffith Ameredeth Exeter Charity, 545
Education Department—Questions
Board School Accommodation for Infants, 1707
Board School in Coborn Street, Bow, 1410
Entertainments for School Children (Precautions), 1870
Scotland—Anderson's Institution, Forres, 1714
Education (Scotland) Bill—Unauthorized Publication, 791, 792
Parliament—Public Business—Higher Education in Wales, 1866

Municipal Corporations (Unreformed) Bill (*The Earl of Rosebery*)
l. Committee * *June* 12 (No. 59)
Report * *June* 14 (No. 94)
Read 3ª * *June* 15
Inquiry Fees, Question, Observations, Lord Henniker; Reply, Lord Carlingford *June* 21, 1117
Royal Assent *June* 29 [46 & 47 *Vict.* c. 18]

Municipal Offices Disqualification (Ireland) Bill (*Mr. Callan, Mr. Gray, Dr. Commins, Mr. Kenny*)
c. Ordered; read 1° * *June* 18 [Bill 232]

MUNTZ, Mr. P. H., *Birmingham*
Army Estimates—Warlike and other Stores, 1774

National Debt, The—Reduction of Interest
Question, Mr. Creyke; Answer, The Chancellor of the Exchequer *June* 21, 1135

Naval Discipline and Enlistment Acts Amendment Bill [H.L.]
(*The Earl of Northbrook*)
l. Report * *June* 8 (No. 70)
Read 3ª, after short debate *June* 14, 516
c. Read 1° * *June* 21 [Bill 241]

NAVY (*Questions*)
Issue of the Naval Discipline Act, 1866, *as Amended*, Question, Sir John Hay; Answer, Mr. Campbell-Bannerman *June* 26, 1554
Naval Artillery—The 43-Ton Gun, Question, Mr. W. H. Smith; Answer, Mr. Brand *June* 14, 551
Officers of the Steam Reserve, Questions, Sir H. Drummond Wolff; Answers, Mr. Campbell-Bannerman *June* 21, 1125; *June* 25, 1419
Sale of Silver Plate, Questions, Mr. O'Donnell; Answers, Mr. Campbell-Bannerman *June* 18, 796
The "Doterel" Explosion, Question, Mr. Joseph Cowen; Answer, Mr. Campbell-Bannerman *June* 25, 1420
The Mediterranean Squadron, Question, Mr. Gourley; Answer, Mr. Campbell-Bannerman *June* 29, 1865
Warrant Officers, Question, Observations, Viscount Sidmouth; Reply, Lord Alcester *June* 22, 1252
Wreck of H.M.S. "Lively," Question, Mr. W. H. Smith; Answer, Mr. Gladstone *June* 8, 84; Questions, Mr. Gourley, Sir John Hay; Answers, Mr. Campbell-Bannerman *June* 12, 381; Question, Dr. Cameron; Answer, Mr. Chamberlain *June* 25, 1413

The Dockyards
Artizans' Memorials, Question, Sir H. Drummond Wolff; Answer, Mr. Campbell-Bannerman *June* 12, 380
Dockyard Artificers and Labourers, Question, Sir H. Drummond Wolff; Answer, Mr. Campbell-Bannerman *June* 25, 1419
Dockyard Ship Fitters, Question, Mr. Broadhurst; Answer, Mr. Campbell-Bannerman *June* 11, 196

Navy—Wreck of H.M.S. "Lively"—The "Hen and Chickens" Rock and "North Shoal"
Moved for, "Correspondence respecting the buoying of the rock known as the 'Hen and Chickens,' and of the 'North Shoal,' off the west coast of the Orkneys" (*The Duke of Marlborough*) *June* 21, 1112; after short debate, Motion agreed to

NELSON, Earl
Marriage with a Deceased Wife's Sister, Comm. 898

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Parliament—Public Business, 26, 1714

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Newdegate, Mr. C. N.—*cont.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 397, 411, 591; *cl.* 2, 618, 723; Motion for reporting Progress, 748, 839, 846, 893, 894, 895; *cl.* 3, 1155; *cl.* 6, 1484, 1514, 1605, 1889

New Forest (Highways) Bill
(*Mr. Courtney, Mr. Cotes*)
c. Report of Select Comm.* *June* 13
Committee* (*on re-comm.*); Report *June* 14
Read 3º* *June* 15 [Bill 225]
l. Read 1ª* (*Lord Thurlow*) *June* 18 (No. 101)
Read 2ª* *June* 25

Newport, Viscount, *Shropshire, N.*
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Street Traffic (Metropolis)—Wood Pavements, 1697

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India Office—Permanent Under Secretary of State—Appointment of Mr. Godley, 1123
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Northbrook, Earl of (First Lord of the Admiralty)
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Criminal Law Amendment, Comm. *cl.* 6, 1392; Report, *cl.* 6, 1857; *cl*, 9, 1860

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Egypt—M. De Lesseps' Proposed Duplicate Suez Canal, 228

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  Public Buildings (Doors), 2R. 1832
  Sale of Liquors on Sunday (Ireland), 2R. Motion for Adjournment, 316, 317, 1824

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  Question, Lord Braye ; Observations, Viscount Bury ; Reply, Lord Sudeley ; short debate thereon *June* 12, 329

O'Shaughnessy, Mr. R., *Limerick*
  Vice-Royalty (Ireland), 2R. 1090

O'Shea, Mr. W. H., *Clare*
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  Lord Wolseley's Grant, 3R. 651
  Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 2, 629
  Sea Fisheries (Ireland), 2R. 1062

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  Ireland—Questions
    Land Law Act, 1881—Provisions as to Labourers' Cottages, 1417
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Otway, Sir A. J. (Chairman of Committees of Ways and Means and Deputy Speaker), *Rochester*
  Army Estimates—Warlike and other Stores, 1778
  Belfast Harbour, Consid. 362, 364
  Lord Alcester's Grant, Comm. *cl.* 286 ; *cl.* 2, *ib.*, 287
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  Navy Estimates—Military Pensions and Allowances, 1807, 1811, 1814, 1816, 1820, 1823
  Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 573, 574, 575, 579, 591, 596, 604 ; *cl.* 2, 613, 885, 886, 888, 891, 929 ; *cl.* 3, 947, 982, 984, 985, 1163, 1164 ; *cl.* 4, 1244, 1289, 1292, 1298, 1320 ; *cl.* 5, 1480, 1481 ; *cl.* 6, 1529, 1569, 1571, 1583, 1605, 1890, 1891, 1892, 1893, 1896, 1897, 1899, 1904, 1908 ; *cl.* 7, 1926

Oxford, Bishop of
  Marriage with a Deceased Wife's Sister, Comm. *cl.* 1, 911, 920

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Paget, Mr. R. H., *Somersetshire, Mid*
Committee of Council on Agriculture—The Proposed Staff, 1694, 1695
Contagious Diseases (Animals) Act—Orders of the Privy Council, 1122
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 401, 572; *cl.* 5, 1440

Palmer, Mr. C. M., *Durham, N.*
Commercial Negotiations with France — Brokerage on Shipping, 1408

Palmer, Mr. J. H., *Lincoln*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 2, 860; *cl.* 4, 1195

Papal See—Diplomatic Communications with the Vatican—Mr. Errington
Questions, Mr. Bourke, Sir H. Drummond Wolff, Mr. Dawson, Lord Randolph Churchill; Answers, Lord Edmond Fitzmaurice *June* 11, 218; Questions, Sir H. Drummond Wolff; Answers, Lord Edmond Fitzmaurice *June* 12, 381; Questions, Mr. O'Brien; Answers, Lord Edmond Fitzmaurice *June* 14, 544

Parliament
LORDS—
Policy of the Ministry—Mr. Chamberlain's Speech at Birmingham, Question, Observations, The Marquess of Salisbury; Reply, Earl Granville *June* 18, 751

PRIVATE BILLS
Standing Order, No. 128 considered *June* 26, 1532
Moved, to leave out the words ("payment of") and insert ("Company from paying") (*The Chairman of Committees*)
Moved, "That it is not desirable to alter Standing Order 128, or to substitute for Standing Order 128 a new Standing Order, until a Bill has been passed to amend the Companies Clauses Consolidation Act, 1845, and the Companies Clauses Consolidation (Scotland) Act, 1845, so far as these Acts relate to the payment of interest out of capital by railway or other companies" (*The Lord Auckland*); after debate, Motion (*The Chairman of Committees*) negatived; Motion (*The Lord Auckland*) withdrawn
Then it was moved, "That it is not desirable to alter Standing Order No. 128, or substitute for Standing Order No. 128 a new Standing Order" (*The Lord Auckland*); Motion agreed to
Observations, The Marquess of Salisbury, The Lord Chancellor, Earl Granville *June* 28, 1653
Moved, That in the Journals for the 26th of June the following passage be omitted: "Then it was moved, That it is not desirable to alter Standing Order No. 128, or to substitute for Standing Order No. 128 a new Standing Order (*The Lord Auckland*); after debate agreed to;" and that in substitution thereof the following words be inserted: "Then it was moved, That the further consideration of the proposed alterations in Standing Order No. 128 be not proceeded with; agreed to" *June* 29; Motion agreed to

Parliament—*cont.*
COMMONS—
THE STANDING COMMITTEES
Procedure, Question, Mr. Joseph Cowen; Answer, Mr. Speaker *June* 14, 565
Re-appointment, Question, Sir H. Drummond Wolff; Answer, Mr. Gladstone *June* 21, 1150
Bankruptcy Bill, Bill reported from the Standing Committee on Trade, Shipping, and Manufactures *June* 25 [Bill 243]; Minutes of Proceedings to be printed [No. 224]
Court of Criminal Appeal Bill, Bill reported from the Standing Committee on Law and Courts of Justice, and Legal Procedure *June* 26 [Bill 244]
Criminal Code (Indictable Offences Procedure) Bill, Question, Mr. Joseph Cowen; Answer, The Attorney General *June* 18, 786; Questions, Lord Randolph Churchill, Mr. Buchanan, Sir H. Drummond Wolff, Mr. Joseph Cowen, Mr. Gibson, Mr. Raikes; Answers, Mr. Speaker, The Attorney General, Mr. Gladstone *June* 21, 1147; Special Report brought up, and read *June* 26, 1549 [No. 225]; Minutes of Proceeding to be printed [No. 226]

BUSINESS OF THE HOUSE AND PUBLIC BUSINESS
Ballot Act Continuance and Amendment Bill, Question, Mr. Newdegate; Answer, Sir Charles W. Dilke *June* 8, 26; Question, Mr. Newdegate; Answer, Mr. Gladstone *June* 28, 1714;—*Ministerial Statement,* Questions, Mr. Heneage, Sir Stafford Northcote, Sir George Campbell; Answers, Mr. Gladstone *June* 8, 31;—*Setting up Supply,* Observations, Mr. Cavendish Bentinck; Reply, Mr. Gladstone; short debate thereon *June* 8, 100;—*Agricultural Holdings (England) Bill,* Questions, Colonel Kingscote, Mr. Chaplin; Answers, Mr. Dodson *June* 11, 223;—Ministerial Statement, Mr. Gladstone; Question, Mr. H. H. Fowler; Answer, Mr. Gladstone *June* 14, 564; Ministerial Statement, Mr. Gladstone; short debate thereon *June* 15, 694;—*Royal Commission on Parliamentary Reform,* Question, Sir John Hay; Answer, Mr. Gladstone *June* 18, 797;—*The Parliamentary Elections (Corrupt and Illegal Practices) and the Agricultural Holdings (England) Bills,* Question, Mr. Heneage; Answer, Mr. Gladstone *June* 18, 801;—*Payment of Wages in Public-Houses Prohibition Bill,* Observations, Mr. Warton *June* 22, 1379;—*Scotch Business,* Questions, Mr. J. W. Barclay, Sir Herbert Maxwell, Mr. Dalrymple; Answers, Mr. Gladstone *June* 25, 1424; Questions, Dr. Cameron, Sir Herbert Maxwell; Answers, Sir William Harcourt *June* 28, 1713;— Ministerial Statements, Mr. Gladstone; short debate thereon *June* 25, 1428; *June* 28, 1707;—*Higher Education in Wales Bill,* Question, Mr. Stanley Leighton; Answer, Mr. Mundella *June* 29, 1866

QUESTIONS
House of Commons—The First Lord of the Admiralty, Question, Mr. Puleston; Answer, Mr. Gladstone *June* 21, 1144

PARLIAMENT—COMMONS—*Questions*—cont.
The Office of Lord Privy Seal, Question, Mr. Broadhurst; Answer, Mr. Gladstone *June* 21, 1146
Kitchen and Refreshment Rooms (*House of Commons*), Question, Mr. Sheil; Answer, Mr. Courtney *June* 14, 556
Parliament (*Mr. Bradlaugh*), Questions, Mr. P. A. Taylor, Mr. Labouchere; Answers, Mr. Gladstone, Mr. Speaker *June* 21, 1145
Policy of the Ministry—Mr. Chamberlain's Speech at Birmingham, Questions, Mr. Warton, Mr. J. Lowther; Answers, Mr. Gladstone *June* 18, 798
Proposed Alteration of the Sittings, Question, Mr. Broadhurst; Answer, Mr. Gladstone *June* 25, 1422
The Wexford Election, Question, Mr. O'Brien; Answer, Mr. Trevelyan *June* 18, 787

Parliament—New Writ for the County of Monaghan
Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a New Writ for the electing of a Member to serve in this present Parliament for the County of Monaghan, in the room of John Givan, esquire, who since his Election for the said County hath accepted the office of Crown Solicitor for the Counties of Meath and Kildare" (*Lord Richard Grosvenor*) *June* 12, 377
Amendt. to leave out from "That," add "the issue of the Writ for the County of Monaghan be suspended until the decision of Parliament has been had regarding the Parliamentary Elections (Corrupt and Illegal Practices) Bill now before this House" (*Mr. Biggar*) *v.*; Question, "That the words, &c.," put, and agreed to
Main Question put, and agreed to

Parliament—Privilege — The Speeches of Mr. John Bright at Birmingham
Paragraph complained of read; Moved, "That the words complained of are a Breach of the Privileges of this House" (*Sir Stafford Northcote*) *June* 18, 801; after debate, Question put; A. 117, N. 151; M. 34 (D. L. 139)

PARLIAMENT—HOUSE OF LORDS
Sat First
June 8—The Lord O'Neill, after the death of his father
June 11—The Lord Castletown, after the death of his father
The Lord Haldon, after the death of his father
The Lord Chesham, after the death of his father
The Earl of Guilford, after the death of his grandfather
June 21—The Viscount Exmouth, after the death of his uncle

PARLIAMENT—HOUSE OF COMMONS
New Writs Issued
June 12—*For* the County of Monaghan, *v.* John Givan, esquire, Crown Solicitor for the Counties of Meath and Kildare
June 14—*For* Peterborough, *v.* George Hampden Whalley, esquire, Manor of Northstead
June 22—*For* the Town and Port of Hastings, *v.* Charles James Murray, esquire, Manor of Northstead

New Members Sworn
June 12—Thomas Roe, esquire, *Derby Borough*
June 18—The hon. Montague Curzon, *Leicester County* (Northern Division)
June 25—Sydney Charles Buxton, esquire, *City of Peterborough*

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7]
(*Mr. Attorney General, Secretary Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General*)
c. Committee—R.P. [Second Night] *June* 12, 386
Committee—R.P. [Third Night] *June* 14, 566
Committee—R.P. [Fourth Night] *June* 15, 696
Committee—R.P. [Fifth Night] *June* 18, 836
Committee—R.P. [Sixth Night] *June* 19, 929
Question, Mr. Broadhurst; Answer, The Attorney General *June* 21, 1141
Committee—R.P. [Seventh Night] *June* 21, 1150
Committee—R.P. [Eighth Night] *June* 22, 1274
Committee—R.P. [Ninth Night] *June* 25, 1432
Committee—R.P. [Tenth Night] *June* 26, 1557
Committee—R.P. [Eleventh Night] *June* 29, 1874

PARNELL, Mr. C. S., *Cork City*
Belfast Harbour, Consid. 369, 370
Ireland—Prisons—New Prison Rules, 550
Land Law (Ireland) Act, 1881 (Purchase Clauses), Res. 435, 451, 460
Lord Alcester's Grant, Comm. *cl.* 1, 286
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 2, Amendt. 618, 624, 625, 650, 696, 718, 719, 720, 731, 740, 745, 842, 856, 865, 879, 885, 886, 888, 931, 935; *cl.* 3, Amendt. 936, 937, 939
Sea Fisheries (Ireland), 2R. 1075

PATRICK, Mr. R. W. COCHRAN-, *Ayrshire, N.*
High Court of Justice (Service of Writs), 2R. 473

Pawnbroker's Bill [H.L.]
(*The Lord Chancellor*)
l. Read 2ª, after debate *June* 22, 1246 (No. 79)

PEASE, Sir J. W., *Durham, S.*
Employers' Liability Act (1880) Amendment, 2R. Amendt. 506

[*cont.*

Pease, Sir J. W.—*cont.*
Parliament—Business of the House, Ministerial Statement, 1710
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1563, 1899
Railway Passenger' Duty, &c. 2R. 1244
Vaccination, Res. Amendt. 1012, 1042

Pease, Mr. A., *Whitby*
Morocco—Slavery and Slave Dealing at Tangier, 1691

Peddie, Mr. J. Dick-, *Kilmarnock, &c.*
High Court of Justice (Service of Writs), 2R. 479
Local Government Board (Scotland), Leave, 2000
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1526

Pell, Mr. A., *Leicestershire, S.*
Tithe Rent-Charge Recovery, 2R. 1831

Pembroke, Earl of
Criminal Law Amendment, Comm. *cl.* 9, Amendt. 1396

Percy, Right Hon. Earl, *Northumberland, N.*
Army—Barracks at Newcastle-on-Tyne, 1867
Friendly, &c. Societies (Nominations), Consid. 1826; *cl.* 2, 1829; *cl.* 6, 1830

Peterborough, Bishop of
Criminal Law Amendment, 2R. 772; Comm. *cl.* 5, 1388; *cl.* 8, 1395; *cl.* 9, 1397

Pier and Harbour Provisional Orders (Inverness, &c.) Bill
(*The Lord Sudeley*)
l. Read 2ª* *June* 8 (No. 68)
Committee*; Report *June* 11
Read 3ª* *June* 12
Royal Assent *June* 29 [46 & 47 *Vict.* c. xliii]

Pier and Harbour Provisional Orders (No. 2) (Whitby) Bill
(*The Lord Sudeley*)
l. Read 1ª* *June* 8 (No. 82)
Read 2ª* *June* 18
Committee*; Report *June* 19
Read 3ª* *June* 21
Royal Assent *June* 29 [46 & 47 *Vict.* c. xlv]

Playfair, Right Hon. Sir Lyon, *Edinburgh and St. Andrew's Universities*
Minister of Education, Res. 1957; Amendt. 1973
Vaccination, Res. 1014, 1045

Poor Law Conferences Bill
(*The Lord Henniker*)
l. Royal Assent *June* 18 [46 *Vict.* c. 11]

Poor Law Guardians (Ireland) Bill
(*Mr. M'Coan, Mr. Gray, Mr. O'Sullivan, Mr. Macfarlane*)
c. Moved, "That the Bill be now read 2°" *June* 13, 483
Amendt. to leave out "now," add "upon this day three months" (*Colonel King-Harman*); Question proposed, "That 'now,' &c.;" after debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2° [Bill 30]
Question, Mr. M'Coan; Answer, Mr. Trevelyan *June* 25, 1432

Poor Relief (Ireland) Bill
(*Mr. Trevelyan, Mr. Herbert Gladstone*)
c. Read 2°, after debate *June* 29, 1981 [Bill 154]

Porter, Right Hon. A. M. (Attorney General for Ireland), *Londonderry Co.*
Ireland—Law and Justice—Disqualification of Jurors, 1696
James Carey, the Approver, 1551
Ireland—Prevention of Crime Act, 1882—Charge for Extra Police, 1270
Special Commissions, 1704
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 2, 638; *cl.* 4, 1321
Sea Fisheries (Ireland), 2R. 1063
Vice-Royalty (Ireland), 2R. 1087

Post Office (*Questions*)
Ardley Post Office, Question, Mr. E. W. Harcourt; Answer, Lord Richard Grosvenor *June* 14, 537
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Contracts—The Irish Mail Service, Question, Mr. Gray; Answer, Mr. Fawcett *June* 12, 380; Question, Mr. Kenny; Answer, Mr. Fawcett *June* 18, 788
Imitation Telegrams, Question, Mr. Long; Answer, Mr. Fawcett *June* 18, 793
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Postal Order System — Extension to the Colonies, Question, Mr. Rankin; Answer, Mr. Fawcett *June* 26, 1554

Post Office Annuities and Life Assurance Tables, Question, Mr. Hollond; Answer, Mr. Courtney *June* 11, 210
Post Office Savings Banks, Questions, Mr. Kennard, Mr. E. Stanhope, Mr. Macfarlane; Answers, Mr. Fawcett *June* 29, 1870; —*The New Building*, Question, Mr. Coleridge Kennard; Answer, Mr. Fawcett *June* 21, 1133
Sorters, Question, Mr. D. Grant; Answer, Mr. Fawcett *June* 14, 548

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Potato Crop Committee, 1880—*Report of the Select Committee—Experiments*
Questions, Sir Herbert Maxwell; Answers, Mr. Dodson *June* 22, 1271

POWER, Mr. J. O'Connor, *Mayo*
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Sea Fisheries (Ireland), 2R. 1071

POWER, Mr. R., *Waterford*
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POWIS, Earl of
Law and Justice (England and Wales)—Assizes and Quarter Sessions, 1116

Prevention of Crime (Ireland) Act, 1882
Charge for Extra Police, Questions, Mr. O'Sullivan; Answers, The Attorney General for Ireland *June* 22, 1270
Police at Kilmallock, Question, Mr. O'Sullivan; Answer, Mr. Trevelyan *June* 14, 547
Special Commissions, Question, Colonel King-Harman; Answer, The Attorney General for Ireland *June* 28, 1703

Prevention of Crime (Ireland) Act (1882) (Audience of Solicitors) Bill
(*Lord O'Hagan*)
l. Royal Assent *June* 18 [46 *Vict.* c. 12]

PRICE, Captain G. E., *Devonport*
Jamaica—Cost of the Commission of Inquiry, 556
Navy Estimates—Half-pay, &c. to Officers of Navy and Marines, 1802
Military Pensions and Allowances, 1808, 1814, 1822, 1823
Parliament—Business of the House, Ministerial Statement, 1713

Prison Service (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Trevelyan*)
c. Ordered; read 1°* *June* 28 [Bill 248]

Public Buildings (Doors) Bill
(*Mr. Coleridge Kennard, Mr. Beresford Hope, Viscount Folkestone, Mr. William Fowler*)
c. Ordered; read 1°* *June* 19 [Bill 239]
Moved, "That the Bill be now read 2°" *June* 28, 1832
After short debate, Amendt. to leave out "now," add "upon this day three months" (*Mr. W. H. James*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn; Motion withdrawn; Bill withdrawn

Public Departments—The Ministry
Privy Council — Committee of Council on Agriculture—The Proposed Staff, Question, Mr. R. H. Paget; Answer, Mr. Dodson *June* 28, 1694
Home Office, The — Transfer of Business, Question, Sir R. Assheton Cross; Answer, Sir William Harcourt *June* 11, 211
India Office—Permanent Under Secretary of State—Appointment of Mr. Godley, Question, Mr. Onslow; Answer, Mr. J. K. Cross *June* 14, 562; Questions, Lord George Hamilton, Colonel Nolan; Answers, Mr. J. K. Cross *June* 21, 1122
The Office of Lord Privy Seal, Question, Mr. Broadhurst; Answer, Mr. Gladstone *June* 21, 1146
War Office Supplementary Clerks, Questions, Viscount Lewisham, Mr. Arthur O'Connor; Answers, The Chancellor of the Exchequer, The Marquess of Hartington *June* 21, 1135

Public Entertainment—Licences to Places of
The Sunderland Calamity, Questions, Mr. Macfarlane; Answers, Sir William Harcourt *June* 22, 1271

Public Health
Metropolitan Asylums Board — Hampstead Hospital, Question, Mr. W. M. Torrens; Answer, Sir Charles W. Dilke *June* 11, 202;—*The Small-pox Hospital at Darenth*, Question, Mr. Alderman Cotton; Answer, Mr. George Russell *June* 14, 535
Sanitary Condition of Somerset House, Question, Lord George Hamilton; Answer, The Chancellor of the Exchequer *June* 21, 1138
Vaccination—Death in St. Pancras Workhouse, Question, Mr. Hopwood; Answer, Sir Charles W. Dilke *June* 11, 199; *June* 18, 789
[See title *Vaccination*]

Public Health (Dairies, &c.) Bill [H.L.]
(*The Lord President*)
l. Presented; read 1ª* *June* 14 (No. 92)
Read 2ª, after short debate *June* 19, 922

Public Health (Scotland) Provisional Order (Fraserburgh Waterworks) Bill (*The Earl of Dalhousie*)
l. Read 2ª* *June* 26 (No. 63)
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Public Worship—Return of Places of
Questions, Mr. Cropper, Mr. Richard; Answers, Mr. Hibbert *June* 21, 1139

Pugh, Mr. L. P., *Cardiganshire*
Egypt — International Sanitary Board—Quarantine, 777

Puleston, Mr. J. H., *Devonport*
Army Estimates — Commissariat, Transport, &c. Establishments, 1725
Detention in Hospitals, Leave, 1837
House of Commons—The First Lord of the Admiralty, 1144
Ireland—Pauper Emigrants to the United States, 1702
Navy Estimates—Military Pensions and Allowances, 1804, 1807, 1814, 1815; Motion for reporting Progress, 1819, 1820, 1823

Raikes, Right Hon. H. C., *Cambridge University*
Australian Colonies—The Governorship of Queensland, 801
Navy Estimates—Military Pensions and Allowances, 1823
Parliament—Standing Committee on Law, &c. — Criminal Code (Indictable Offences Procedure), 1149
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, Amendt. 388, 398; *cl.* 2, 885, 931; *cl.* 3, 960; Amendt. 971, 975, 1150, 1151; *cl.* 4, 1278; *cl.* 5, 1438; *cl.* 6, 1521, 1564; *cl.* 7, 1929
Sir Robert Peel's Settled Estates, 3R. 1268

Railway Passenger Duty, &c. Bill
(*Mr. Chancellor of the Exchequer, Mr. Chamberlain, Sir Arthur Hayter*)
c. Read 2°, after debate *June* 21, 1244 [Bill 219]

Railways
Continuous Brakes, Question, Observations, Earl De La Warr, Viscount Bury; Reply, Lord Sudeley *June* 22, 1260
Insecurity of the Hoo Brook Viaduct on the Great Western Railway, Question, Mr. Brinton; Answer, Mr. Chamberlain *June* 21, 1149
Workmen's Trains, Question, Mr. Grantham; Answer, Mr. Chamberlain *June* 21, 1141

Ramsay, Mr. J., *Falkirk, &c.*
High Court of Justice (Service of Writs), 2R. 478
Lunacy (Scotland) Act, 1862—Transfer of Criminal Lunatics from Perth Prison, 784
Minister of Education, Res. 1973

Rankin, Mr. J., *Leominster*
Post Office—Postal Order System—Extension to the Colonies, 1554

Rathbone, Mr. W., *Carnarvonshire*
Minister of Education, Res. 1960
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 3, 947

Redesdale, Earl of (Chairman of Committees)
Parliament—Private Bills—Standing Order, No. 128, Consid. 1533, 1547
Representative Peers (Scotland), Report, *cl.* 2, 20; 3R. 329

Reed, Sir E. J., *Cardiff*
Navy Estimates—Military Pensions and Allowances, 1809, 1813, 1820

Registry of Deeds Office (Ireland) Bill
(*Dr. Lyons, Mr. Maurice Brooks, Mr. Findlater*)
c. Committee; Report *June* 8, 142 [Bill 202]
Considered * *June* 11
Read 3° * *June* 14
l. Read 1ª * (*Lord O'Hagan*) *June* 15 (No. 97)

Reid, Mr. R. T., *Hereford*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, 1279; *cl.* 6, 1591

Representative Peers (Scotland) Bill [H.L.]
(*The Lord Chancellor*)
l. Report *June* 8, 15 (No. 66)
Read 3ª, after short debate *June* 12, 324 (No. 84)
Moved, "That the Bill do pass" (*The Lord Chancellor*); after short debate, Motion agreed to; Bill passed
Protest against 3R. see Appendix
c. Read 1° *June* 21 [Bill 242]

Richard, Mr. H., *Merthyr Tydvil*
Places of Public Worship—The Return, 1140

Richardson, Mr. J. N., *Armagh Co.*
Belfast Harbour, Consid. 360
Ireland—Poor Law — Belfast Workhouse — Irregularity of Officials, 203
Sale of Liquors on Sunday (Ireland), 228; 2R. 318
Vice-Royalty (Ireland), 2R. Amendt. 1083

Richmond and Gordon, Duke of
Criminal Law Amendment, Comm. *cl.* 5, 1388, 1389; *cl.* 8, 1395; Report, *cl.* 6, 1856, 1858; *cl.* 9, 1862
Marriage with a Deceased Wife's Sister, Comm. *cl.* 1, 918
Public Health (Dairies, &c.), 2R. 924
Sea Fisheries, 2R. 322, 323

Ridley, Sir M. W., *Northumberland, N.*
Parliament—Criminal Code (Indictable Offences Procedure), Report, 1550

Ritchie, Mr. C. T., *Tower Hamlets*
Education Department — Board School in Coborn Street, Bow, 1409
Minister of Education, Res. 1979
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, 1315; *cl.* 6, 1579, 1597, 1903, 1905, 1909

Rivers Conservancy and Floods Prevention Bill
Question, Observation, The Earl of Sandwich; Reply, Lord Carlingford *June* 26, 1548

Rochester, Bishop of
Criminal Law Amendment, Comm. *cl.* 5, Amendt. 1384; *cl.* 13, Amendt. 1400
Marriage with a Deceased Wife's Sister, 2R. 182

Rogers, Mr. J. E. Thorold, *Southwark*
Local Government Board (Ireland), Res. 1348, 1349
London Commissioners of Sewers (Ventilation of Railways), 2R. 194
Metropolitan Board of Works—Prohibition of Public Meetings on Open Spaces, 213, 214
Minister of Education, Res. 1969

Roundell, Mr. C. S., *Grantham*
Army—Visitation of Army Hospitals, 546

Russell, Mr. G. W. E. (Parliamentary Secretary to the Local Government Board), *Aylesbury*
Metropolitan Asylums Board—Small-pox Hospital at Darenth, 536
Vaccination Acts—William H. Kennard, 1690

Rutland, Duke of
Agricultural and Commercial Depression, 3, 10

Rylands, Mr. P., *Burnley*
India—Criminal Code Procedure Amendment, 385
Lord Alcester's Grant, Comm. 70, 71
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 388, 395, 567; *cl.* 2, 735; *cl.* 3, 969, 975, 1152, 1182; *cl.* 4, 1204; *cl.* 5, 1433, 1472; *cl.* 6, 1501, 1614, 1887

St. Albans, Duke of
Arrears of Rent (Ireland) Act, 1882—Irish Church Fund, 1688

St. Aubyn, Mr. W. N. M., *Helston*
Open Spaces (Metropolis)—Waste Land at West Brompton, 1127

Sale of Liquors on Sunday (Ireland) Bill (*Mr. Trevelyan*)
c. Question, Mr. J. N. Richardson; Answer, Mr. Gladstone *June* 11, 228
Moved, "That the Bill be now read 2°" *June* 11, 314; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Onslow*); after further short debate, Motion agreed to; Debate adjourned
Adjourned Debate resumed, and further adjourned *June* 28, 1824 [Bill 130]

Salisbury, Marquess of
Africa (South)—Transvaal Convention of 1881—Native States, Motion for an Address, 679, 682, 686
Agricultural and Commercial Depression, 10, 14, 15
Agricultural Holdings (England) and Parliamentary Elections (Corrupt and Illegal Practices) Bills, 2
Contagious Diseases Acts, 340, 341

Salisbury, Marquess of—*cont.*
Criminal Law Amendment, 2R. 773, 775; Comm. *cl.* 5, 1386; *cl.* 6, 1391; *cl.* 7, 1395; *cl.* 9, 1397; *cl.* 12, 1399; Report, *cl.* 5, 1853; *cl.* 6, 1855, 1856, 1858
Lord Alcester's Grant, 2R. 1102
Marriage with a Deceased Wife's Sister, Comm. *cl.* 1, 917
Naval Discipline and Enlistment Acts Amendment, 2R. 517, 518
Ordnance Survey, 332
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Parliament—Private Bills—Standing Order No. 128, Consid. 1543, 1547, 1653
Representative Peers (Scotland), Report, *cl.* 2, 20
Stolen Goods, 2R. 319

Salt, Mr. T., *Stafford*
Minister of Education, Res. 1972, 1976
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1604

Saltoun, Lord
Representative Peers (Scotland), 3R. 329

Samuelson, Mr. H. B., *Frome*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 576; *cl.* 3, 968, 1176; *cl.* 5, 1439, 1440; Amendt. 1474, 1478; *cl.* 6, 1592, 1593

Sandwich, Earl of
Rivers Conservancy and Floods Prevention, 1548

Sclater-Booth, Right Hon. G., *Hants, N.*
Vaccination, Res. 1040

Scotland (*Questions*)
Education Department—Anderson's Institution, Forres, Question, Dr. Cameron; Answer, Mr. Mundella *June* 28, 1714
Law and Justice—Case of Norman Mackinnon, Question, Mr. Williamson; Answer, The Lord Advocate *June* 8, 33;—*Petition Processes in Court of Session*, Question, Dr. Cameron; Answer, The Lord Advocate *June* 25, 1416
Lunacy (Scotland) Act, 1862—*Perth Prison—Transference of Criminal Lunatics*, Question, Mr. Anderson; Answer, Sir William Harcourt *June* 11, 225; Question, Mr. Ramsay; Answer, The Lord Advocate *June* 18, 784
Prisons—Closing of the Prison at Dunfermline, Question, Mr. Preston Bruce; Answer, The Lord Advocate *June* 18, 787
The Census, 1881, Question, Mr. Buchanan; Answer, The Lord Advocate *June* 21, 1131
The Royal Commission on Crofters, Question, Mr. Dalrymple; Answer, Sir William Harcourt *June* 28, 1697
Scottish Legal Friendly Society—Dishonesty of Officials, Question, Dr. Cameron; Answer, The Lord Advocate *June* 18, 778
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Scott, Lord H. J. M. D., *Hants, S.*
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Sea and Coast Fisheries Fund (Ireland) Bill (*Mr. Trevelyan*)
c. Questions, Mr. Blake, Mr. Gray; Answers, Mr. Trevelyan *June* 18, 790
Bill withdrawn * *June* 21 [Bill 106]

Sea Fisheries Bill [H.L.]
(*The Lord Sudeley*)
l. Presented; read 1ª * *June* 8 (No. 83)
Read 2ª, after short debate *June* 12, 319
Committee * *June* 25 (No. 127)
Report * *June* 26

Sea Fisheries (Ireland) Bill
(*Mr. O'Kelly, Mr. Blake, Mr. Leamy, Mr. O'Connor Power, Mr. O'Donnell*)
c. Read 2°, after debate *June* 20, 1047 [Bill 31]
Committee * *June* 25

Sellar, Mr. A. Craig, *Haddington, &c.*
Local Government Board (Scotland), Leave, 1997
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1524

Selwin-Ibbetson, Sir H. J., *Essex, W.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1600

Severne, Mr. J. E., *Shropshire, S.*
Agricultural Holdings (England)—Rating on Tenants' Improvements, 555

Sexton, Mr. T., *Sligo*
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Poor Law Guardians (Ireland), 2R. 497, 500
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Shaftesbury, Earl of
Channel Tunnel—Memorandum of H.R.H. the Duke of Cambridge, 1264
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Sheil, Mr. E., *Meath Co.*
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  Poor Law—Oldcastle Union—Superannuation Allowances, 212

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Vice-Royalty (Ireland), 2R. 1094

Shield, Mr. H., *Cambridge*
Parliament—Business of the House, Ministerial Statement, 1712

Sidmouth, Viscount
Naval Discipline and Enlistment Acts Amendment, 3R. 516, 518
Navy—Warrant Officers, 1252

Sir Robert Peel's Settled Estates Bill [*Lords*] (*by Order*)
c. Read 3°, after short debate *June* 22, 1265

Smith, Right Hon. W. H., *Westminster*
Diplomatic Vote — Salary of Major Baring, H.M. Consul General in Egypt, 216, 217, 542
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  Naval Artillery—43-ton Gun, 551
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Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1886; *cl.* 7, 1919

Smith, Mr. S., *Liverpool*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 1, 593

Smith, Mr. T. E., *Tynemouth, &c.*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 6, 1513

Solicitor General, The (Sir Farrer Herschell), *Durham*
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Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 2, 711, 876; *cl.* 3, 964, 982; *cl.* 4, 1199, 1209, 1219, 1222, 1240, 1243, 1285, 1296; *cl.* 5, 1341, 1342, 1440, 1450; *cl.* 6, 1594; *cl.* 7, 1924
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SPEAKER, The (Right Hon. Sir H. B. W. BRAND), *Cambridgeshire*
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Post Office—Post Office Savings Banks, 1871
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Sir Robert Peel's Settled Estates, 3R. 1267
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STAIR, Earl of
Representative Peers (Scotland), Report, *cl.* 2, Amendt. 15

STANHOPE, Earl
Criminal Law Amendment, Comm. *cl.* 5, 1386

STANHOPE, Hon. E., *Lincolnshire, Mid*
Egypt—Egyptian Exiles in Ceylon, 198
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STANLEY, Right Hon. Colonel F. A., *Lancashire, N.*
Army Medical Arrangements, 1715
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STANLEY, Hon. E. L., *Oldham*
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 4, 1276

STANLEY OF ALDERLEY, Lord
Criminal Law Amendment, Report, *cl.* 9, 1862
India (Palconda), Motion for a Select Committee, 756, 766
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Marriage with a Deceased Wife's Sister, Comm. *add. cl.* 922
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Public Health (Dairies, &c.), 2R. 924

STANTON, Mr. W. J., *Stroud*
Lord Alcester's Grant, Comm. 78
Parliamentary Elections (Corrupt and Illegal Practices), Comm. *cl.* 3, 978; *cl.* 6, 1486; Amendt. 1557, 1568

Statute of Frauds Amendment Bill
(*Mr. Reid, Mr. Whitley, Mr. Arthur Elliot*)
c. Read 2° * *June* 13 [Bill 204]
Committee—R.P. *June* 18, 896

Stolen Goods Bill [H.L.]
(*The Lord Chancellor*)
l. Read 2ª, after short debate *June* 12, 319
Committee * *June* 21 (No. 78)
Report * *June* 26 (No. 105)

STRADBROKE, Earl of
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STRATHNAIRN, Lord
Contagious Diseases Acts, 339
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STUART, Mr. H. VILLIERS-, *Waterford Co.*
Egypt—Law and Justice—Trial of Suleiman Sami, 274

SUDELEY, Lord
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Question, Mr. Norwood; Answer, Mr. Gladstone *June* 11, 228; Questions, Mr. W. M. Torrens, Mr. Cartwright; Answers, Mr. Gladstone *June* 25, 1430

Sullivan, Mr. T. D., *Westmeath*
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Summers, Mr. W., *Stalybridge*
Duchy of Lancaster—Lands Act, 1855—Foreshores—The Corporation of Southport, 1419

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Army Estimates, Question, Sir Walter B. Barttelot; Answer, Mr. Gladstone *June* 15, 695;—*Vote 4.—Medical Establishments and Service*, Question, Mr. Gibson; Answer, The Marquess of Hartington *June* 11, 201
Diplomatic Vote—Salary of Major Baring, H.M. Consul General in Egypt, Questions, Lord Randolph Churchill, Mr. Gorst, Sir Stafford Northcote, Mr. W. H. Smith, Sir H. Drummond Wolff, Mr. Onslow, Mr. Arthur O'Connor; Answers, Lord Edmond Fitzmaurice, The Chancellor of the Exchequer *June* 11, 215

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Considered in Committee *June* 28, 1716—Army Estimates, Votes **9** to **14**;—Navy Estimates, Vote **15**
Resolutions reported *June* 29

Supreme Court of Judicature (Funds, &c.) Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª* *June* 26 (No. 130)
Read 2ª* *June* 29

Surrey (Trial of Causes) Bill
(*Mr. Warton, Captain Aylmer*)
c. Moved, "That the 2R. be deferred till Wednesday 4th July" *June* 13, 514
Amendt. to leave out all after "That the," add "Order for 2R. be discharged" (*Mr. Monk*) *v.*; Question proposed, "That the words, &c.;" after short debate, Debate adjourned
Adjourned Debate resumed, and further adjourned *June* 14, 653 [Bill 65]

Synan, Mr. E. J., *Limerick Co.*
Ireland—Poor Law—Rathkeale Union—Insurance of the Union Buildings, 209
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Taylor, Mr. P. A., *Leicester*
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Vaccination Acts—William H. Kennard, 1689
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Theatres and Places of Public Entertainment — Precautions against Fires — The Gaiety Theatre, Manchester
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c. Report * *June* 14 [Bill 169]
Considered * *June* 15
Read 3° * *June* 18
l. Read 1ᵃ * (*Lord Sudeley*) *June* 19 (No. 111)
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c. Report * *June* 13 [Bill 201]
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l. Read 1ᵃ * (*Lord Sudeley*) *June* 18 (No. 104)
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(*Mr. Hibbert, Mr. George Russell, Sir Charles Dilke*)
c. Ordered; read 1° * *June* 18 [Bill 231]
Read 2° * *June* 21
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l. Read 1ª * (*Lord Carrington*) *June* 28 (No. 132)

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Vaccination
Moved, "That, in the opinion of this House, it is inexpedient and unjust to enforce Vaccination under penalties upon those who regard it as unadvisable and dangerous" (*Mr. P. A. Taylor*) *June* 19, 986
Amendt. to leave out from "That," add "a Select Committee of this House be appointed for the purpose of ascertaining whether a limitation of the accumulation of penalties for non-vaccination can be effected without endangering the practical efficiency of the Vaccination Acts" (*Sir Joseph Pease*) *v.*; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn
Amend. to leave out from "House," add "the practice of Vaccination has greatly lessened the mortality from small-pox, and that Laws relating to it, with such modifications as experience may suggest, are necessary for the prevention and mitigation of this fatal and mutilative disease" (*Sir Lyon Playfair*) *v.*; Question proposed, "That the words, &c.;" Question put; A. 16, N. 286; M. 270 (D. L. 145)
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Vice-Royalty (Ireland) Bill
(*Mr. Justin M'Carthy, Mr. Richard Power, Mr. O'Kelly, Mr. Kenny*)
c. Moved, "That the Bill be now read 2°" *June* 20, 1076
Amendt. to leave out "now," add "upon this day three months" (*Mr. J. N. Richardson*); Question proposed, "That 'now,' &c.;" after debate, Debate adjourned

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(*The Lord Sudeley*)
l. Read 2ª * *June* 15 (No. 77)
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Read 3ª * *June* 22
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(*Mr. Pease, Mr. Norwood, Mr. Barran*)
c. Ordered ; read 1° * *June* 8 [Bill 221]
Read 2° * *June* 21

END OF VOLUME CCLXXX., AND FIFTH VOLUME OF SESSION 1883.

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